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Fayed and security chief bailed

## Harrods boss arrested over safe deposit

BY ANDREW PIERCE  
AND STEWART TENDLER

MOHAMED AL FAYED was arrested yesterday over allegations that Harrods employees broke into a safe deposit box owned by his business rival Tiny Rowland.

Mr Fayed, who went voluntarily to Kennington police station yesterday morning, was arrested and questioned in the presence of his solicitor for 90 minutes. He was released on bail and ordered to return to the station in June. John McNamara, the director of security at Harrods who is a former chief superintendent of the fraud squad, was also arrested. Mark Griffiths, who was Mr Fayed's personal assistant, and Paul Handley-Graves, his bodyguard, will be questioned today.

Harrods has admitted that the box — containing confidential documents and jewellery worth thousands of pounds — was broken open, but has denied that Mr Fayed was involved.

Scotland Yard confirmed yesterday that "a man in his sixties" had been arrested in connection with allegations of theft and criminal damage, but refused to disclose his identity. Harrods, however, said that Mr Fayed had gone to the police station "to clear this thing up for once and for all". A spokesman denied that he had moved to avoid the embarrassment of an arrest at the store, rather he had decided that it was the right thing to do in the face of a "furore" of allegations from Mr Rowland.

The arrests are the latest twist in the feud between Mr



Fayed wants "to clear this up for once and all"

Fayed and Mr Rowland which began in the 1980s with the battle to win control of the House of Fraser group.

Last night Mr Rowland welcomed the police action, saying: "It was the right thing to do. These are serious allegations. I will pursue this with every breath in my body. Justice must and will prevail." Mr Rowland had issued a High Court writ three months ago claiming that Mr Fayed led a conspiracy to break into his safe deposit box and remove letters, tapes and jewels without his consent. But a statement on behalf of Mr Fayed at the time "categorically denied" all the allegations.

The allegations about the safe deposit had first been levelled by Neil Hamilton, the former Tory MP for Tatton, last October as he defended himself against allegations that he was paid by Mr Fayed to ask parliamentary questions. Giving evidence before the Commons standards and privileges committee, Mr

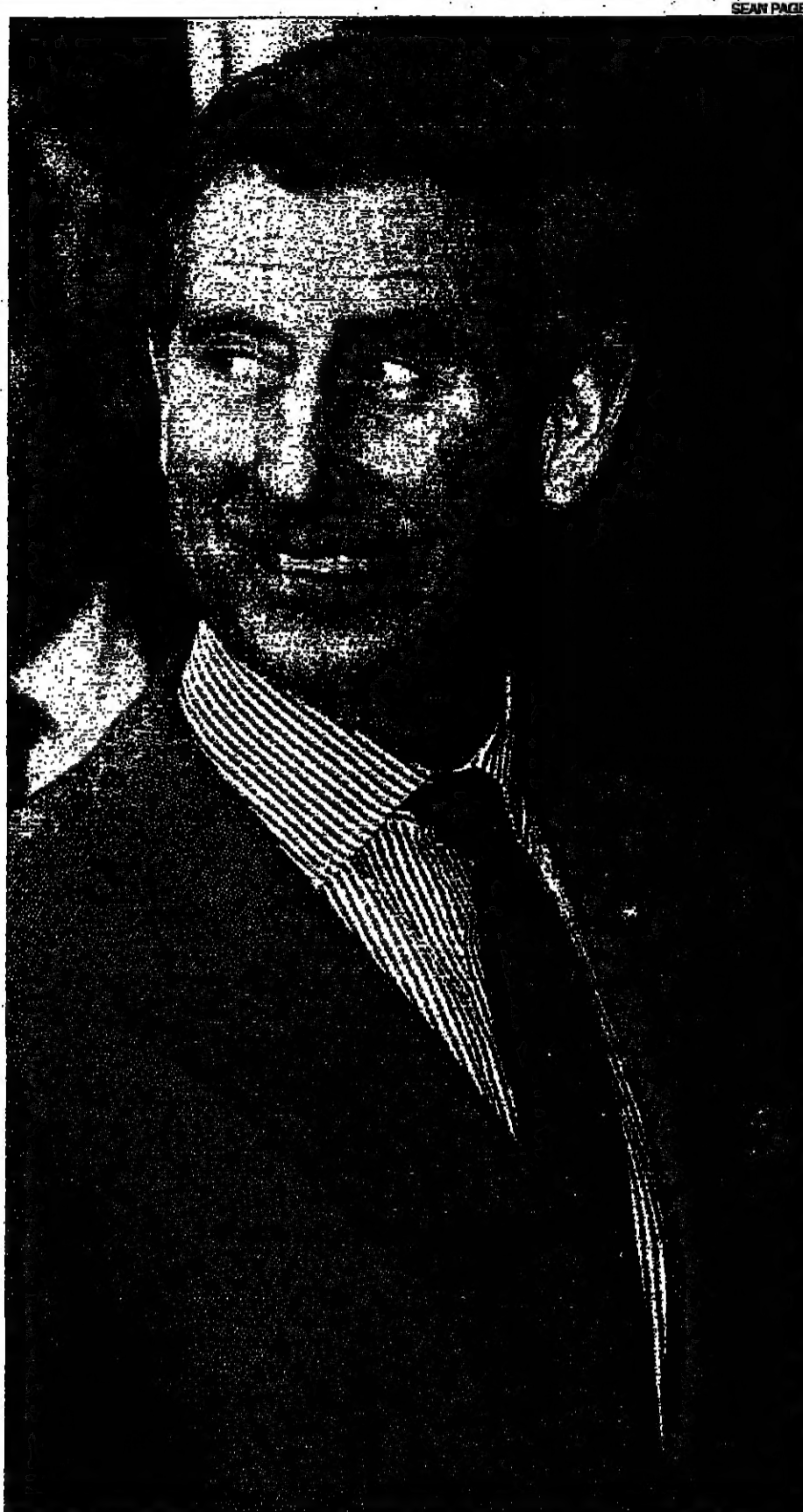
Hamilton read a signed statement from Bob Loftus, who was Harrods' head of security from 1987 until 1996.

According to that statement — which was dismissed by Harrods as the invention of an disaffected employee — Mr Fayed had not realised until December 1995 that Mr Rowland had a safe deposit box under his roof. He had demanded to know why he had not been told, and a plot was immediately hatched to break into the box.

Mr Rowland, in his writ, alleged that the break-in was part of an ongoing attempt by Mr Fayed to level false accusations against Michael Howard, who as Trade Secretary had launched an inquiry into the House of Fraser takeover.

The latest burst of bad publicity for Mr Fayed comes after the controversy over his claims that there was a conspiracy to kill his son, Dodi, and Diana, Princess of Wales, and will cast a cloud over his campaign for British citizenship, which is being reviewed by the Home Secretary.

It also comes only a week after the early retirement of his spokesman, Michael Cole. Yesterday he enlisted the support of the public relations expert Sir Tim Bell, who sent his deputy, Piers Pottinger to the Knightsbridge store. Mr Pottinger insisted that the arrest was a technicality. "Mr Al Fayed volunteered to go to the police station. He was interviewed under arrest. He categorically denies the allegations," he said. Mr Fayed was back on the floor of Harrods by lunchtime and "it is business as usual".



The Prince of Wales during a visit yesterday to Staffordshire fire service in Stone

## Diana leaves £13m to sons after paying £8.5m in tax

BY ALAN HAMILTON

DIANA, Princess of Wales, left nearly £13 million to her sons Prince William and Prince Harry, her will published yesterday has disclosed.

The Princess, who died in August last year, also left requests that she should be buried and that the Prince of Wales should consult her mother, Frances Shand Kydd, on the upbringing, education and welfare of the young Princes. The will was drawn up in June 1993, six months after the Prince and Princess had separated.

Yesterday's publication, unusual for a royal will, shows that the Princess's gross estate was valued at £21.7 million, comprising stocks and shares, jewellery, dresses and other belongings and her £17 million divorce settlement. Payment of unspecified taxes reduced the total to £21.4 million. A further £8.5 million went in inheritance tax, leaving £12.9 million net.

Lawyers acting for the Princess considered a legal action to avoid payment of such large death duties, but abandoned the plan for fear of attracting unfavourable publicity.

The other beneficiaries are Paul Burrell, the Princess's butler and her most trusted aide, who receives a legacy of £50,000, and her 17 godchildren, each of whom will receive a memento from the Princess's possessions.

The capital bequeathed to Prince William, 15, and Prince Harry, 13, will be held in trust for them. They will be paid an income from the trust before inheriting the capital when they are 30.

Both Princes have been left the same amount, despite the fact that Prince William will receive the revenues of the Duchy of Cornwall when his

father becomes King. When he and his brother reach 30, they will be able to vary the amount each takes from their mother's bequest if they wish.

But their final inheritance may be much more than the initial £6.5 million each. A court variation order made last December with the help of John Major, a guardian of the young Princes' financial affairs, ensures that a potentially large income from intellectual property rights — copyright fees for the use of



Shand Kydd: to be consulted on Princes

images of the Princess, for example — goes into a separate fund for the benefit either of the Princes or of charities such as the Princess of Wales Memorial Fund.

When, after the Princess's death, it was realised that large sums could accrue from marketing memorabilia, Mr Major and lawyers moved to safeguard that potential income. Variations to a will after the testator's death are quite normal, although they require the consent of the executors and the beneficiaries.

Amended will, page 4  
Letters, page 21

### Focus replaces Ford Escort

The Ford Escort, Britain's best-selling car, is to be replaced by a new model known as Focus. The new car will no longer be made in Britain, but will go on sale here in the autumn. The new name was announced by Jac Nasser, president of Ford, before the car's unveiling at the Geneva Motor Show.

### Shares record

The FTSE 100 index of leading shares closed at a record high after rising 53.3 points to 5820.0. Prices were lifted by a BTR plan to return £2 billion to shareholders. Page 27

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## Labour suffers two defeats in Lords over student cash

BY JAMES LANDALE, POLITICAL REPORTER

THE Government suffered two defeats in the House of Lords last night when peers backed a Tory move to halt the abolition of state maintenance grants for students and backed calls for equal treatment over tuition fees at Scottish universities.

The defeats came as peers debated the Teaching and Higher Education Bill, which would replace grants with a new loans system and allow universities to charge students £1,000 in tuition fees.

Peers voted by 143 to 102 in favour of an amendment ensuring that at least half a student's maintenance comes from a grant, with the rest coming from a loan.

Then they backed by 134 to 99 a Conservative call for all UK students at Scottish universities — where courses last four years — to have their fourth-year tuition fees paid by the state.

The Government will be forced to use its Commons majority to overturn a key plank of its legislative programme, but it will be emboldened because it will be seen to be attacking the interests of Middle England. Many families have protested against the "double whammy" of tuition fees and the abolition of grants.

Conservative leaders said last night they were simply accepting Tony Blair's promise to abide by the Dearing Committee's recommendations on higher education, which made no mention of abolishing grants.

David Willetts, the Tory spokesman for higher education, said: "Only last Wednesday Mr Blair was claiming in Prime Ministers' Questions that his Government would abide by Dearing. Peers have simply reinstated what Dearing proposed. Many Labour MPs have committed themselves to keeping the grant. Now the onus is on them to stick by their word."

The Tories argued in the Lords that Government plans to replace maintenance grants with loans would deter people from going to university and hit those from poorest families hardest. But the Government argued that the abolition of grants would help to provide extra public money to be invested in universities and denied that it was deterring poorer students from applying for courses.

Barness Black, the Tory education spokesman in the Lords, said: "My amendment would mean a level playing field. It has to be the irony of all time that a Labour Government is penalising low income families on this issue."

Barness Blackstone, the Minister in charge of higher education, said grants did not encourage people to enter higher education, and added: "Even the current flawed loans system has not deterred people from applying."

The defeats will be seen by Labour as another reason why "hereditary peers" should lose their right to vote in the Lords, which was always regarded as the most likely venue for an ambush on the loans plans.

## 'Middle way' sought to control hunting

BY PHILIP WEBSTER, POLITICAL EDITOR

TONY BLAIR dampened prospects for an early ban on hunting yesterday as pressure began to grow for an independent inquiry into the issue.

In another move that gave heart to the hunting lobby in the wake of Sunday's Countryside March on London, Kate Hoey, a senior Labour MP, announced that she and others had formed a group to try to find a "middle way" that

would end some of hunting's most objectionable features while allowing it to continue in a restricted and licensed way.

With Michael Foster's Bill to outlaw hunting likely to collapse over the next few weeks, it has become clearer than ever that a ban could only go through as part of a Government Bill. But there are already strong indications that Jack Straw, the Home Secretary, is determined to ensure that his Criminal Justice Bill, due later this year, is framed tightly enough to avoid the anti-hunt campaigners using it as a vehicle to push through an amendment banning hunting.

Yesterday there was a hint from Downing Street that time might not be found in the present Parliament. The Prime Minister's spokesman said that the Government did not see it as "a top priority" in a future legislative programme. Although he added that he was neither ruling it out nor in, the lack of enthusiasm for the Government's



Continued on page 2, col 6

## Police want to destroy 'obscene' university book

BY JOHN O'LEARY, EDUCATION EDITOR

POLICE have confiscated a book celebrating the work of the late Robert Mapplethorpe, the controversial photographer, from the University of Central England's library and asked for permission to destroy it on grounds of obscenity.

West Midlands police raided the Birmingham Bot of a third-year undergraduate art student last October after she had taken photographs of

the book to be developed by a local chemist. The film was intended for use in a thesis entitled "Fine Art versus Pornography".

After referring the book to the Director of Public Prosecutions, the police told the university last week that it could be held to contravene the Obscene Publications Act as likely to deprave or corrupt. A formal request was made to destroy the book and for the publishers to withdraw the remaining stock.

Dr Peter Knight, the university's

vice-chancellor, said last night: "I have never known anything like this in 30 years of academic life. Discussions with senior members of academic staff within our Institute of Art and Design clearly demonstrate that the publication is viewed as a serious, high quality work of considerable artistic merit. It has contributed significantly to the field of contemporary art and the university deplores the allegations that the publication is obscene."

The university is taking legal advice, but expects to fight the confiscation order, as do the publishers, Random House. Dr Knight said: "Of course we are aware that Mapplethorpe is controversial, but these photographs are not even erotic, merely unusual. We have paid £75 for a replacement copy to see what the fuss was about and it is certainly not a brown paper envelope job by any means."

Photographs included in the book survived an obscenity trial in Cincinnati, in 1983, a year before

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# Natural worrier fears human rights horrors

Theresa May (C. Maidenhead) is not, so far as we know, a Berkshire torturer, village Stalin or rural Pol Pot. Youngish (she is 41), pleasant and professional, she is described in Roth's *New MPs of '97* as having "attractive auburn hair with natural grey splashes". How does Roth know? But whether or not her splashes are natural, Mrs May gives no impression of being unhinged.

So why did she leap in at Home Office Questions yesterday to lash out at plans to apply a Human Rights Bill to parish councils?

First she asked "if parish councils are amongst those organisations whose acts or omissions it is intended should be able to be

challenged under the Human Rights Bill".

Mike O'Brien, the dapper fellow assigned to answer this, is the sort of junior minister every mother would want her daughter to marry. Slim, suave, his suits quietly but expensively tailored, Mr O'Brien is a natural grey splash. The grey splash told Mrs May, courteously, that Yes, parish councils would not be above the law.

This upset her. The Government was looking again, she said, at the possibility of excluding churches, so why not parish councils too?

A short background note on the situation: the Human Rights Bill gives those who believe a public body has infringed their rights a means to take their case to a British



MATTHEW PARRIS  
POLITICAL SKETCH

court. Churches are worried lest they be forced to bless same-sex weddings, employ atheists as teachers or interview one sex for a job requiring the other.

This one understands. But why parish councils? Do these bodies systematically violate human rights? What are parish councils in Mrs May's leafy swathe of Berkshire like?

Has Amnesty been informed? Are residents hauled before the councillors of Cookham for interrogation over suspected heresies de-

tested by the Vicar of Holy Trinity? Does the Secretary to the Burchett's Green Parish Council have you committed to the bell tower until, maddened by the sound of the bells, you withdraw your planning application for a pvc-frame porch extension?

Are the teenage sons of Holyport dragged away in the night and dragged into the Taplow militia? Are residents of council property in Sonning and Wargrave flogged for footpath infringements?

And is Theresa May in favour of

this? I think we should be told. Some of us who take the view that if (as Mrs May supposes) English parish councils really are infringing human rights, then the sooner parishioners are able to seek the protection of a Human Rights Act, the better. However, for some victims this may come too late: they will already have had their fingers drawn, their children taken away or their mean hovels razed to the ground by angry parish councillors.

She did not amplify or explain, so we may never know. Nicholas Gibbs (C. Bognor Regis & Littlehampton) — a "lean and frantic look" according to Roth — came drily to her aid by suggesting to the minister that as there seemed

to be "limited scope" for parish councils to crush human rights, why not exclude them from the Act's surveillance?

The briefest inspection of Mr Gibbs's idea reveals its dangers. Within weeks, people like Peter Mandelson would be installing themselves on parish councils all over England to exploit the loophole. For there are no limits to the reach of this Government. They are everywhere. They forget nothing. When the British Liberal Democrat Deputy Leader Alan Beith asked mildly for progress in reforming the voting system, the Home Office Minister George Howarth snapped that the Liberals had been in favour of first-past-the-post — in 1923. Another U-turn.

## Railtrack is told to improve poor state of lines

By NICHOLAS WATT AND ARTHUR LEATHLEY

RAILTRACK has been warned by safety inspectors that it will face criminal prosecutions unless it takes drastic action to improve the "persistent poor condition" of railway tracks.

The Health and Safety Executive has told Railtrack that the company is putting the safety of passengers at risk after failing to act on earlier warnings about poorly maintained tracks.

Vic Coleman, the Deputy Chief Inspector of Railways at the HSE, issued his warning after a series of derailments. In a letter leaked to *The Scotsman*, he said that he remained "concerned about the condition of track on the Railtrack network". In two cases, track was "in such an extremely bad condition so as to be unsafe".

In his letter to Brian Mellitt, Railtrack's engineering director, Mr Coleman said: "It is difficult to escape the conclusion that Railtrack needs urgently to make yet greater efforts to ensure that deterioration and deficiencies in track condition are properly identified and effectively remedied."

"It is always of concern that our — inevitably limited — spot checks and inspectors should find serious matters not already identified and not being dealt with," Mr Cole-

man said that he had also written to John Swift, QC, the Rail Regulator. He also made clear to Railtrack that it could no longer blame British Rail.

Railtrack, which took over British Rail's track network in 1994, is already being prosecuted by the HSE for its failure to repair track on a bridge in Bexley, southeast London, which was the scene of a train crash in February last year. A Railtrack report into the incident, in which a train plunged down an embankment, injuring several workmen, conceded that faults had been found on the track some months earlier but had not been put right.

Last month 40 passengers had to be rescued when a train was derailed at Harwich. The following day a goods train was derailed at Uffington, near Swindon. Debris hit the windows of the Bristol to Paddington express.

Railtrack was heavily criticised last year by Mr Swift over its failure to invest sufficiently in track improvements. Mr Swift said the company had accumulated a huge backlog of investment and ordered senior managers to put in place a timetable of improvements over the next decade. In response, Railtrack set out plans to spend £16 billion.

The leaked letter coincides

with a hardening in the attitude of the Executive in its dealings with Railtrack and the 25 train operators. The Executive has grown increasingly concerned over failures of rail managers to accept advice from safety inspectors.

Although rail safety in 1996-97 reached its best ever figures in terms of the number of fatalities, with only one person killed, concerns resurfaced last September when seven people were killed in the Southall rail crash in West London. A public inquiry is investigating suggestions that signals on the stretch of line might have been obscured while work was being carried out by Railtrack contractors.

Last night senior Railtrack managers said the letter marked positive discussions with the Executive. The company acknowledged the concerns voiced, but said that it was already taking significant steps to improve the track system, and was committed to spending £2.6 billion on track renewals and maintenance over the next decade. "Clearly the HSE wants to make it known that it is going to keep a close watch on events over the next year, but we are doing that in any case and frankly there are not big differences between us," said a Railtrack spokesman.



Mapplethorpe: regularly courted controversy with his explicit photographs

## Book

Continued from page 1  
Mapplethorpe died of Aids. Produced in collaboration with the Robert Mapplethorpe Foundation, it features an essay on the photographer's work by Arthur C. Danto.

Many of the photographs are nude, some portraying scenes of bondage and homosexual activity. Photographs from the book have appeared in several public exhibitions in Britain and extracts have been printed in *The Independent* on Sunday.

Dr Knight said: "The police acted in a perfectly civilised manner but the student concerned was understandably distressed. The publication in question has been in the public domain since it was first published in England in 1992 and in the university's library for nearly five years. It is ridiculous to suggest that, after this considerable length of time, it may contravene section two of the Act."

Central England's library has another 26 Mapplethorpe books. The university said in a statement that students taking art and design had to have access to a wide range of visual images, both conventional and controversial. "Only by such exposure can informed art criticism and analysis take place. Any attempt to restrict the academic curriculum and the associated freedom of thought by seeking to destroy this book must and will be resisted."

In 1996 a retrospective of Mapplethorpe's work at London's Hayward Gallery caused such outrage that the gallery took the advice of police and lawyers and gave it an X-rating, in which those under 18 could only be admitted accompanied by an adult. Three photographs were excluded from the catalogue.

## NEWS IN BRIEF

### Family of suicide man wins £25,000

The family of a mental nurse who hanged himself when he learnt that the hospital where he had worked for 20 years was to close has been awarded £25,000 agreed High Court damages. Richard Pocock, 50, a father of three, was found hanging in his garage at his home in Colchester by a member of his family in January 1995.

Jeffrey Burke, QC, for the family, said North-East Essex Mental Health Trust and the Pockocks had decided to compromise in the claim.

### Girls' bout off

A boxing match between 13-year-old girls, due to take place tonight in Stoke-on-Trent, has been called off amid adverse publicity. The contest, between Andrea Prime of Leicester and Emma Brammer of Stoke, has already been postponed once.

### Connery charge

Allegations that the actor Sean Connery was denied a knighthood because of his support for the Scottish National Party are to be referred to Lord Neill, chairman of the Committee on Standards in Public Life by Alex Salmond, leader of the SNP.

### Natural choice

Baroness Young of Old Scape is to be the next chairman of English Nature. The Labour peer, 48, currently chief executive of the Royal Society for the Protection of Birds, takes up the post on May 1, succeeding Lord Cranbrook.

### Extradition case

A Dublin court ordered the extradition to Britain of a man wanted in connection with an IRA bombing campaign. Anthony Dancian, 28, is wanted on eight warrants alleging conspiracy to cause explosions between August 13, 1993 and August 13, 1994.

### Odds off

The country's biggest independent bookmaker is paying out already on bets that Manchester United will win the Premiership, even though the team has ten games left. Fred Done, who has 115 betting shops, is paying out £50,000.

## Ministers fight for control of rural affairs

Trade and industry press for power over farming as Prescott seeks to retain planning role

By VALERIE ELLIOTT  
WHITEHALL EDITOR

CABINET ministers are still arguing privately about the creation of a new department for rural affairs.

While Dr Jack Cunningham, the Agriculture Minister, appears to have won the argument for a revamped Ministry of Agriculture, it emerged last night that the Department of Trade and Industry is pressing to take over responsibility for food and farming. Some ministers also believe the Treasury should take the lead in reforming the Common Agriculture Policy. John Prescott, the deputy Prime

Minister, is also anxious that he should retain control of rural development and planning matters so that he can keep a strategic view of the policy. One government source said last night: "It is a logical position really, where does the countryside begin and the suburban sprawl end? This would be a very difficult area to disentangle between the two departments. The political reality is that it will rest with environment."

Nonetheless, plans are moving ahead to build up the Ministry of Agriculture so that it can act as government watchdog for all policy issues relating to the countryside. Mr

Prescott is said to be "completely relaxed" by this shift and the handing over of responsibility for key countryside quangos such as English Nature and the Countryside Commission.

A new department for rural affairs would take on responsibility for countryside matters such as hedgerows, public footpaths and wild species, but it would also have a crucial role in representing the interests of the countryside in Whitehall.

Just as the women's unit at the Department of Social Security monitors general policy for its impact on women, so the new rural affairs ministry would assess each policy for

its impact on the countryside and its communities. It is understood that a decision on the new ministry will be taken by Tony Blair as part of his first Cabinet reshuffle.

There may be an argument however for deciding the future of countryside matters before Easter. From April 1 Mr Prescott's super-ministry will be controlled by a single budget and it might prove simpler to carve up the responsibilities before the new accounting systems come into force.

Agriculture ministry officials have been reviewing the department's future after the decision to hive off the food safety unit to a new agency.

## Hunting inquiry

Continued from page 1  
coming embroiled in the issue was clear. The remark contrasted sharply with the attitude of Mr Blair after the Commons gave an overwhelming majority to the Foster Bill in November when he said that the Government would be keeping the situation under close review. This raised the hopes of campaigners that hunting would be banned by 2000 at the latest.

That is still possible, but it is clear that ministers do not relish the idea of another confrontation with the rural communities over hunting. Jack Cunningham, the Agri-

culture Minister, yesterday called for a "dialogue" over hunting. Ms Hoey said that although Labour MPs had voted in big numbers for the Foster Bill, several of them were moving towards a position where they would favour an inquiry into hunting so that the arguments would be independently tested.

One idea certain to be explored is the drawing up of a code of conduct and the licensing of hunts on condition they observe it. Practices such as digging out foxes, or temporarily filling in foxholes so that they cannot hide, would be banned.

## CORRECTIONS

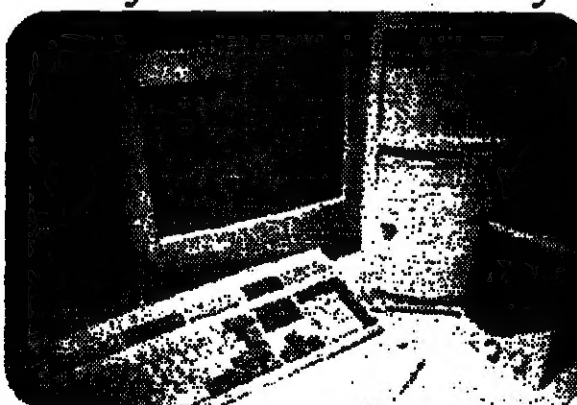
□ Although the National Trust has banned deer-hunting on its land on Exmoor, and the Quenlocks, it has not forbidden other forms of hunting on its land, nor does it intend to do so (article, Weekend, February 27). It was also incorrect to say that the League Against Cruel Sports has deer sanctuaries on NT land, and that its animals are in bad condition. In fact, the league's sanctuaries are managed in accordance with the highest standards of animal husbandry.

□ A misprint in a document led Simon Jenkins to write (February 28) that farmers receive £1,000 an acre in subsidised payments; the correct figure is £136.

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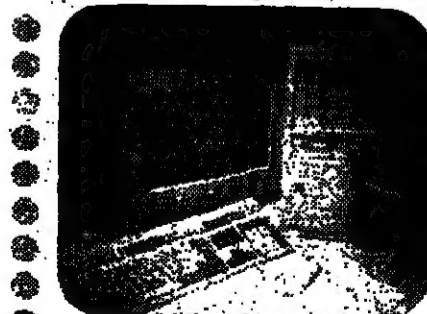
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# Six-year sentence for doctor who killed wife in row over money

Millionaire consultant threw body out of window while depressed over prospect of divorce, writes Stephen Farrell

A MILLIONAIRE doctor who bludgeoned his wife with a club hammer then hurled her to her death from a bedroom window after rows over his meanness was jailed for six years yesterday.

Vivian Harris, 51, a consultant obstetrician and gynaecologist, hit his wife Jocelyn at least seven times on the head on the patio of their £750,000 house, then threw her from the window in a vain attempt to cover up his crime. Although neighbours heard the 39-year-old's dying screams, he spent the next three hours cleaning up the trail of blood through the house and reassuring them everything was all right before calling an ambulance, the Old Bailey was told.

Harris, who earned £150,000 a year as a consultant for the Guy's Hospital and Lewisham Hospital trusts in London and from private practice, denied murdering his wife at their home in Beckenham, southeast London, on June 5 last year but admitted manslaughter due to diminished responsibility. Only after his arrest did he learn she was having an affair.

The Recorder of London, Sir Lawrence Vaux, accepted psychiatric reports that the consultant was suffering from severe depression which impaired his responsibility after learning his wife wanted a divorce and custody of their two children, Rhannon, now 10, and Rhys, 7.

Dozens of colleagues and patients lined the public gallery in give support to Harris, a Fellow of the Royal College of Obstetricians and Gynaecologists. Miss World organiser Julia Morley, 57, a former patient acted as a character witness and said his "mind was murdered" at the



Julia Morley: told court of Harris's anguish

prospect of losing his family. Mrs Harris's family greeted the sentence with disgust, and said that Harris had already served nine months and could be free in less than 2½ years.

Mrs Harris's mother, Norma Beisey, from Kent, said last night: "Is that all that my daughter's life is worth?"

The former nurse's friends said afterwards she had been driven to distraction by her husband's parsimony, complaining that when she once asked for a new fridge, he offered her the refrigerator from the pathology laboratory at Lewisham Hospital.

The issue had left her to walk out on him once before, within a year of their marriage, and although they lived

in a large detached house with a swimming pool, had another house in London and had more than £800,000 in building societies, she was unhappy that he insisted on taking the family to McDonald's restaurants for birthdays.

In court Harris, with untidy hair and an open-necked shirt, sat with his shoulders slumped as Nigel Sweeney, for the prosecution, told the judge the couple had met at University College Hospital, London, in 1979 when he was a senior registrar and she a nurse. They married in 1985.

The death, he said, was brought about by the fact that "she perceived the defendant as being mean with his money and he did not". One previous attempt to divorce him in 1994 was abandoned only after he "agreed to loosen the purse strings".

In March 1997 she began having the affair and on April 23, she told her solicitor to begin divorce proceedings and that she wanted him out of the house. The petition was filed on the day of her death.

Harris, the court heard, "could not accept that it was over", repeatedly pleaded with her to reconsider, began drinking heavily, prescribed himself Valium and appeared gaunt and unhappy to colleagues. He even told his immediate superior to stop him seeing patients if he showed signs of being unable to work properly.

On June 5 1997 he was at home at 9am when his wife returned from driving the children to school and seeing her male friend. He tried to kiss her but she moved away and said Mr Sweeney, "made a comment along the lines of 'Who the hell do you think you are?'". She then went to the patio and was drinking a cup



Harris: court was told that he upset his wife by his parsimony with money

of coffee when Harris, a DIY enthusiast and officer in the Territorial Army, walked past with the hammer apparently intending to break up a concrete path in the back garden, and "snapped" when she apparently made a remark.

Although he claimed only to have hit her twice, a post mortem showed at least seven blows, many when she was lying on the ground.

Harris then wrapped her in a bin liner and sheet and dragged her bleeding body to the first floor bedroom, knowing she was still alive, where he threw her from the window, fracturing her spine and causing her death. In a panic, he buried the hammer in a compost heap and tried to

clean the blood from the house.

He finally called the ambulance at 12.14pm, initially telling police he had been in the garage when his wife fell from the bedroom before admitting his part, saying: "I could not live with the shame."

For the defence, Julian Bevan, QC, said Harris had "devoted a vast majority of his professional life to saving the lives of others, in particular the lives of women with cancer". He said Harris, the son of a barmaid, had been brought up in "humble" circumstances in Newport, Gwent, had attended grammar school and medical school and achieved eminence in his profession. But, Mr

Bevan said, because he was brought up by his grandmother and never knew the identity of his father, the prospect of being separated from his own children had caused him to "disintegrate mentally".

Harris, the court heard, told police his wife had "subjected him to the most unbelievable feeling of worthlessness that you can imagine over this insane, crazy divorce" and called him a "completely selfish creep". His career was now finished and his guilt and torment would never end.

The judge told Harris he accepted expert evidence that the attack was "out of character". The couple's children are being cared for by Harris's stepbrother in Wales.

# 'Housewife' who built up drugs empire gets 15 years

By Richard Duce and Adam Fresco

FROM her nondescript semi-detached house in suburban Kent, Evelyn Fleckney masterminded a multimillion-pound drugs distribution network.

She never handled the drugs herself but, through a "rod of iron" regime, was in such control of a growing empire that she styled herself "chairman of the board".

The empire fell yesterday as Fleckney, 41, from Tunbridge Wells, was jailed for 15 years at Southwark Crown Court. Undercover police taped her business dealings, which involved the distribution of cocaine, cannabis and Ecstasy throughout the South of England after it was brought in from Portugal.

Neighbours suspected nothing as Fleckney walked her six-year-old son to school before returning home to her drug deals. The mother of two relied on criminal contacts to build up her network, bringing together buyers and suppliers.

A spokesman for the South East Regional Crime Squad said after the case: "To all intents and purposes she was the respectable housewife staying at home and taking her son to school, chatting to other mothers along the way."

She lived in a nondescript semi-detached and didn't have the trappings of wealth around her. She was certainly the first drugs baroness to be convicted in our area and is possibly the first in the coun-

try," Michael Wood, for the prosecution, told the court that Fleckney would never "get her hands dirty" by keeping drugs at home but instead had them hidden in the countryside.

Police heard her describing herself on one occasion as the "managing director and chairman of the board". On another, she boasted: "There are not many drug dealers like me. Go and find another bird that can get what I get. I could have a million pills if I wanted."

It took the jury five days to convict Fleckney of conspiracy to supply Ecstasy, cocaine and cannabis between October 1995 and October 1996. Her former boyfriend and "lieutenant", James Smith, 32, of Tunbridge Wells, who was convicted of similar offences, was jailed for 12 years.

Paula Bashford, 32, from Croydon, South London, was convicted of one count of conspiracy to supply Ecstasy and jailed for 4½ years.

Before the hearing, Karen Knight, 36, from Tunbridge Wells, was jailed for five years after admitting conspiracy to supply Ecstasy, cocaine and cannabis, and Keith Ward, 40, from Morden, Surrey, received 21 months after admitting two counts of conspiracy to supply Ecstasy. Mitchell Fenton, 32, from Tunbridge Wells, Susan Jones, 34, from Croydon, and Steven Lowe, 28, of Mitcham, Surrey, were acquitted of drug charges.



Fleckney, pictured by a police surveillance camera, ran a drugs supply network from her home in Kent

# Babysitter 'caught in acid attack intended for wife'

By Simon de Bruxelles

A BABYSITTER described yesterday how she was horribly disfigured when she opened the front door of a house and had acid thrown in her face.

Beverley Hammett, then 19, was mistaken for the estranged wife of a businessman accused of ordering the attack, a court was told yesterday.

Miss Hammett, 21, was attacked in July 1996 as she stood silhouetted in the doorway by a man who has never been caught. One of the intended victims' three children described hearing Miss Hammett's face "hissing" as the acid burnt her skin.

The prosecution claimed at Exeter Crown Court yesterday that Peter Humphrey set himself up with an alibi, but his plan to marry his 37-year-old wife Susan backfired when the babysitter answered the door instead.

The trustee nanny, who requires further plastic surgery, said: "I heard what sounded like the bolt of the side gate. I looked outside through the curtains but I could not see anybody. I just thought it was Mrs Humphrey coming home because she was due back earlier."

"I went to the front door and listened for a short while and then I opened the door. I saw a



Beverley Hammett, before and after the attack. The trustee nanny needs further plastic surgery

figure and heard the sound of breaking glass and then something hit me in the face and I felt a burning sensation. I fell to the ground and I thought I was going to faint and then I went to the kitchen to cover my face in cold water."

On the night of the attack Mrs Humphrey had gone to visit her sister in hospital and left Miss Hammett looking after the children at her home in Seaton, Devon.

Gavin Chalmers, prosecuting, said: "It is the Crown's case that the defendant, reduced to all-consuming jealousy by the breakdown of his marriage, procured or helped another person who has not

been traced, to hurl concentrated nitric acid into the face of his estranged wife."

Four months before the attack Mrs Humphrey began divorce proceedings and also obtained a county court agreement banning her husband from going within 100 yards of her house. In May 1996, he went into the house - called Camelot - in breach of the undertaking and found her in bed with her new boyfriend, whom he attacked. Mrs Humphrey was seeking to have her husband jailed for contempt at the time of the acid attack.

Mr Chalmers said Mr Humphrey, 51, ran a chemical supply business and had ac-

cess to chemicals, including nitric acid. Before the attack he made a date to meet two sisters he had contacted through a lonely hearts advertisement. "He was in effect creating his own concrete alibi." When police traced Mr Humphrey they found two containers of nitric acid in the boot of his car.

Mrs Humphrey told the court that her ex-husband had bugged and spied on her after she walked out on him after nearly ten years of marriage. There had also been a previous acid attack on her car.

Mrs Humphrey's son Adam, now 14, said: "I saw Beverley open the door. I saw a black hand come through the doorway and then heard the sound of breaking glass and a kind of hissing from the gas and heard Beverley screaming. She ran into the kitchen. I ran outside and saw a man running away and heard a car speed off. I went back inside and found Beverley washing her face. The state of her face was horrifying."

Humphrey, from Axminster, Devon, denies causing grievous bodily harm to Miss Hammett. He faces alternative charges that he procured another with the intention of causing injury to either Miss Hammett or his wife.

The trial continues.

# An officer's bark had no bite

A SCOTTISH police officer working in London was refused the chance to work as a dog handler because the animals could not understand his accent, an industrial tribunal was told yesterday.

Allan McPherson, 32, saw work with the dog-handling section of the Metropolitan Police as a refuge from officers who taunted him because of his broad Glaswegian accent.

PC McPherson told the tribunal in Central London that at the end of the week

Scots PC claims he was turned down as a dog handler because of his accent, writes Richard Duce

long suitability course he noticed that there were comments suggesting he needed better voice modulation. "I asked the instructor about it and he said, 'It's your Scottish accent.' I couldn't believe it. I knew that voice control was very important

in giving out dog commands, but I couldn't accept that there was a particular problem."

He returned to normal duties and asked about travel expenses and overtime before eventually learning that he had been turned down for the dog-handling

course. He said that his superior officer, Sergeant Danny McQuoid, said: "Is that all you Jocks think about, overtime?"

Mr McPherson, who has since left the force, claims that discrimination by the sergeant, who had insulted him before, affected his performance.

Mr McPherson, from Luton, alleges racial discrimination against the Metropolitan Police Commissioner, Sir Paul Condon.

The case continues.

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### Amendments made after her death added a flexibility that will benefit young Princes, reports Frances Gibb

for any loss injury or damage that may happen to  
els from any cause whatsoever or any failure on the part of anyone  
fect or maintain any insurance  
whereof I have hereunto set my hand the day and year first above

HER ROYAL HIGHNESS  
oint presence and  
us in her presence

Paul

The will of Diana, Princess of Wales, which was published yesterday. The Princess left nearly £13 million to Prince William and Prince Harry

We now accept that any such suggestion is quite unjustified, and accordingly apologise to Mishcon de Reya for any embarrassment they may have suffered as a result.

that everything should go to the boys, he added.

Similarly, the original will provides for bequests to be made in line with any memorandum expressing the Princess's wishes. But the Princess herself might not have got around to making such a memorandum.

Mr Gowar said yesterday that the decision to go to court to vary the will was taken to

"What really kicked it off was the question of the intellectual property rights. No one could have foreseen this was going to become the issue that it did and it raised the whole relationship between the estate and the fund."

"The aim was to put together a flexible system which would ensure as far as pos-

sible that the executors could pass on the economic benefit of the intellectual property rights to charity, but also retain power to control questions of taste and appropriateness."

As well as the trust which holds the bulk of the estate for the two boys, the amended will sets up a discretionary trust fund for the Princes and their future families and which can

also benefit charities. This trust fund includes the intellectual property rights, the Princess's clothes — "all my wearing apparel" — and the sum of £100,000. This could have tax-saving benefits, in that any gifts to charities made from the fund within two years of the Princess's death will be free of inheritance tax.

mother's will themselves. But as minors, the application to the High Court had to be made on their behalf, in this case by Mr Major.

Amendments to ensure bequests of £50,000 to Paul Burrell, the Princess's butler, and to the godchildren, were discussed by all involved, Mr Gower said.

**Letters page 21**

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**BY ALAN HAMILTON**

## CROCKERY, ART AND A MODEL HARP

THE 17 godchildren of Diana, Princess of Wales, will each receive a small personal memento of her chosen by the executors of her will. They include a coffee set, pieces of china, animal figurines, watercolours, a decanter, carriage clock and model harp.

All the items strewn in a private catalogue compiled by Christie's, the auctioneers, who listed and valued all the late Princess's possessions for the British Revenue in order that it could calculate inheritance tax. The catalogue remains private and cannot be bought.

10. Lady Edwina Grosvenor, 16, second child of the Duke and Duchess of Westminster, was the first of the Princess's godchildren; her christening was held six months after the royal wedding in St Paul's. The next year the Princess became godmother to the Hon. Alexandra Knatchbull, 15, daughter of Lord and Lady Ramsey and the great-granddaughter of Earl Mountbatten. The Ramseys were particularly close friends of the Prince of Wales.

The other godchildren are: Clare Cazalet, 13, granddaughter of the Queen Mother's former racehorse trainer, Canilla Straker, 12, daughter of a former flatmate of Diana, Prince Philip's 21st son; of King Constantine of Greece; Leonora Lonsdale, 11, daughter of a former lady-in-waiting to the Princess; Jackie Warren, 11, granddaughter of the Earl of Carnarvon; the Queen's racing manager, Lady Mary Welling, 11, granddaughter of the Duke; and Lady Welling, George, 10st. 10, son of the

[illegible]

her godchildren were chosen from among her private effects by her executors, and are far from being the most valuable or glamorous of her possessions. In years to come their recipients may regard them as surprisingly modest legacies from a woman who in her time was one of the most famous in the world.

Neither her office nor her lawyers yesterday could add any detail to the verse list published as an appendix to the variation order to her will. But it includes a number of Herend animal figures, which are widely collected and sell for about £30 each. The gifts are in sharp contrast to the personal effects of the late Duke and Duchess of Windsor. Almost every item in last week's sale in New York was a paragon of quality and style, and consequently fetched prices far in excess of the market for heretofore.

**BY ALAN HAMILTON**

EARLY trade was exceedingly slow when copies of the will went on sale at Somerset House in Central London yesterday, despite predictions that it would become a best-seller.

Staff at the Probate Registry had worked overtime to produce hundreds of copies of the

The first public customer was Christine Lansdowne, 72, from Sydney, who was combining a holiday in Britain with historical research into her own family. "When they told me Diana's will was going on sale, I had to have one," she said.

"If it depends back home, I knew I had to chase it down. I had a chance and I took it, and I bet that she would

have wanted to know why." Margaret Godsell also just happened to be passing with her daughter-in-law Christine, and four-year-old grandson Stuart. "I bought it for historical interest; it will be something to hand on to the grandchildren," Mrs Godsell

Musa Audu, 45, read in *The Times* that the will would become available. "I am a probate solicitor; I thought I would come out of curiosity to have something as a memento, but also out of professional interest to see who the beneficiaries are."

Those who bought a copy seemed pleasantly surprised that the six-page will, together with a one-page codicil, cost only 75p, the standard charge for a copy of any will held by the Probate Registry. Those requiring the full set of documents — sworn oath by the executors, original will, 36 pages of variation orders

death, and the grant of probate - will have cost £10.25." Kevin Donnelly, private debt recovery manager at Donnelly and Beattie, telephone 01454 622222, says: "I have clients in Italy and the United States, expressing interest. 'Normally we wait several days before publishing a will, but in view of the widespread interest in this one, we decided to issue it immediately,'" he said.

**5 Copies of the will of Diana, Princess of Wales, are available at 75p (£2 by post) from the Principal Registry of the Family Division, Somerset House, Strand, London WC2R 1LP, or from the district probate offices in Andover, Bournemouth, Brighton, Bristol, Cardiff, Ipswich, Leeds, Liverpool, Manchester, Newcastle-upon-Tyne and Oxford. For postal applications, a cheque for £2 should be made out to HM Paymaster General, Somerset House**



# Hawaii? I prefer South Yorkshire

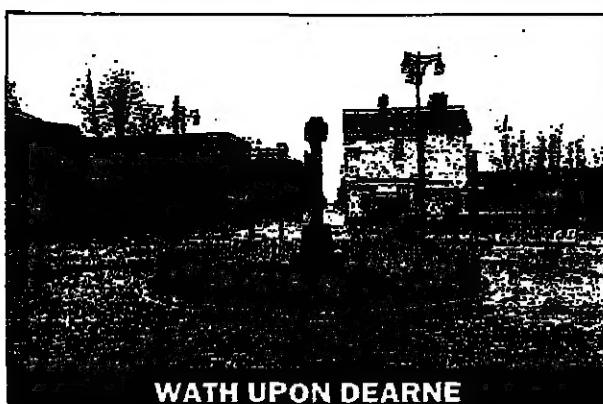
Woman who found love on the Internet forsakes Pacific island home for Wath upon Dearne, writes Paul Wilkinson

MANY people would envy Marji Robinson's seemingly idyllic life on a unspoilt Pacific island. But she is swapping her birthplace for a former pit village in South Yorkshire because she has fallen in love with a credit controller she met through the Internet.

Today, when she looks out of her window, she can watch the blue waters of the Pacific break on the white sand of Kauai, reputedly the most beautiful of the Hawaiian islands. But in a few months, after their marriage on the beach, her view will be the terraced houses across the road from the home of her husband, John Beachill, in Wath upon Dearne, Rotherham.

"John has told me what to expect but to be honest, it does not really matter," said Ms Robinson, 40, a qualified nurse, yesterday. "We're very much in love and we just want to be together and where does not matter too much. John's work is obviously in Britain, but he has said that, if I don't settle in Wath, he is prepared to move back with me and his children to Hawaii."

Kauai, known as the Garden Isle, is famous for its scenery. It is the fourth largest



WATH UPON DEARNE

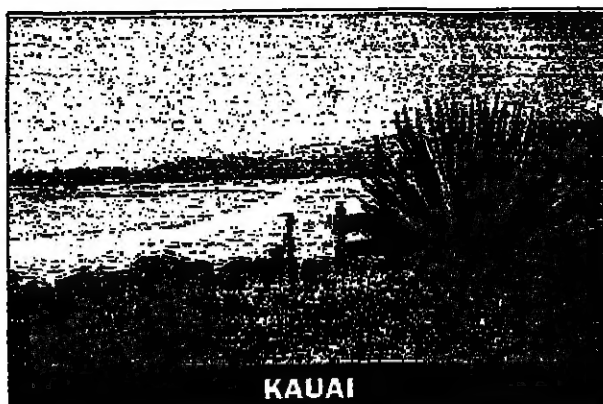
THE town dates from Viking times and was mentioned in the Domesday Book. James Montgomery, an 18th-century poet, christened the place "The Queen of All Villages" after falling in love with the daughter of a local landowner; she married

somebody else. Wathians previously worked in coal, on the railways and the canal; unemployment is now about 8.5 per cent. William Hague, the Tory leader, was a pupil at Wath Grammar School. Summer temperatures hit an average 19C; in winter it is 5C.

of the Hawaiian group, and the first to be seen by Captain Cook in 1778. It was the location for the films *King Kong*, *South Pacific*, *Blue Hawaii* and *Jurassic Park*.

The couple "met" while surfing the Net for penfriends

last September. They corresponded by e-mail, then by telephone as their relationship grew. Mr Beachill, 41, who is divorced and has two daughters aged ten and 13, has been out of England only once, on a weekend trip to France. But



KAUAI

THE 5,000ft Mt Waialeale is an extinct volcano and the island's highest point. It has more wet days than any other place on Earth, but the island has an average 2,620 hours' sunshine a year. Its reinforced and white coral sand beaches are a favourite for

Hollywood scripts requiring "paradise" locations. Its main industry is tourism, with 750,000 visitors each year. Sugar, exotic fruit and a US military base provide other jobs. The temperature hardly varies all year round, at between 26C and 29C.

last month he flew 10,000 miles to Kauai to propose. He said: "I had only ever seen her picture but I had an idea she would say 'yes'. I couldn't do it over the Internet."

"With the distance involved, I never really thought about

getting married again. I just wanted a penpal at first. After a month of corresponding, it was obvious there was a lot more than wanting to send letters to each other for the rest of our lives."

Wath's only cinematic claim

to fame is that it is five miles from Grimethorpe, where the recent hit *Brassed Off* on the demise of the coal industry was filmed. It lies in the triangle of industrial South Yorkshire bounded by Rotherham, Doncaster and Barnsley.

Mr Beachill said: "I am not quite sure what she will make of Wath. Marji has visited Britain, but only places like London and Edinburgh. Her home is in the foothills of a volcanic mountain range. When you walk out of the house you are greeted by palm trees and beautiful flowers."

Ms Robinson has yet to see Wath. But Mr Beachill did send her and her daughter, Cassandra, seven, a postcard of Castleton, a picturesque Peak District village, to show her that there is beauty in the North. Now he has arranged for her to spend Easter in South Yorkshire to help her become acclimatised.

Last night the Rotherham Industrial Development Office offered Ms Robinson a guided tour. Clark Herron, its spokesman, said: "I was worried about the way people who don't know Rotherham still label it with the old stereotypes of wasteland and slagheaps."



John Beachill and Marji Robinson in Hawaii

## Full Monty star reveals his role in the allotment

By JOANNA BALE

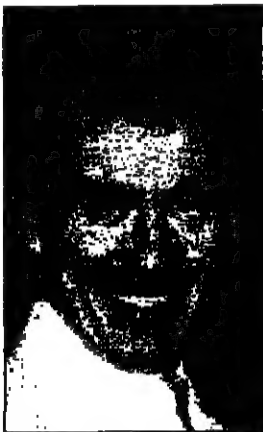
THE hugely successful film *The Full Monty* has not made everyone associated with it rich. One of its stars is growing his own vegetables to save money.

Steve Huison played Lomper, whose suicide attempt is foiled in the opening scene. Now he is busy planting potatoes in his Yorkshire allotment, having received just £13,500 for his part in the comedy, which has taken nearly £50 million at the box office.

The actor, who hopes to attend the Oscars ceremony in Hollywood later this month, said yesterday that filmgoers wrongly assumed that he and his co-stars had made their fortunes. At a ceremony introducing the home video version of the film yesterday, he said his latest project was "the allotment". He added: "That's not a film. It's a piece of land."

"It's that time of the year. You've got to break up the soil and get your potatoes in. It's not about gardening. It's about growing your own veg and saving money. I'd be a fool if I didn't."

"Let me get it right. We haven't got a fortune out of it."



Huison: earned £13,500 for his role in film

We got the basic Equity weekly rate and that's all. £1,500 a week it works out at for nine weeks. Even my girlfriend's daughter gets lapped up for money at school now, which isn't very pleasant."

However, Huison, of Shipley, West Yorkshire, said that the film had opened doors and given him a better choice of parts. "I've had a good time over the past six months. I've gone on a lot of free trips and I've met a lot of interesting people, and it's nice to be involved in something that's done so well."

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# Novel approach pays off for debutant writers

An MA course at Manchester is teaching the art of producing a saleable book. Russell Jenkins reports

FIVE students from the English department of Manchester University are on their way to becoming professional writers. They have all had a first novel or book of short stories accepted for publication.

Four are graduates of a two-year MA course in novel-writing, which aims to put fat books in shop windows rather than catch the eye of literary journals.

The university, which set up the course four years ago, aims to wrest the crown from the creative writing courses of East Anglia University as the place to get on the fast track into print. Publishers and literary agents are heading for Oxford Road, Manchester,

trawling for talent, and many of the current crop of 12 students already have agents.

Anna Davis, one of three to graduate from the inaugural course, has a two-book deal with the publishing house Sceptre. Her first novel, *The Dinner*, written for her MA course, is about a dinner party going disastrously wrong and will be published in January next year. The German translation rights have already been sold.

Emma Lee-Potter, 39, a journalist and daughter of Linda Lee-Potter, the *Daily Mail* columnist, has a two-book deal with Piatkus.

Her first book, *Hard Copy*, will appear in July.

She spent ten years working in Fleet Street and has drawn on her experience to write about life on the fictional tabloid *Daily News*. Her central character is an ambitious young photographer, estranged from her mother and with a disastrous love life.

Ms Lee-Potter, who lives in North Yorkshire with her husband and two children, said the course provided a disciplinary framework to those who want to write a novel but could quite get around to it. "I can't do anything

unless I have a deadline," she said. "*Hard Copy* is a fun look at newspapers, not a knocking book, but a look at what it is really like as a reporter on the road. It is not a literary work, but a book marketed for a mass audience. There is nothing precious about this course."

"In the purely practical terms of producing a book to go on sale, it has knocked the University of East Anglia off its rarified literary perch. I have never been interested in writing poetry. This course is specifically for novel-writing."

The third student on the initial

course is Vivienne Savory, who has already enjoyed success with her novels *The Seventh Daughter* and *Over The Purple Moor*, published by Fourth Estate. She said: "I felt I was on the way to becoming a writer but that I needed to make that final link to complete the jigsaw."

One MA student, Joseph Pemberton, received an offer from a publisher before he had even submitted the final version of his book, *For Ever And Ever Amen*, for his degree.

Students are asked to write chapters of their books in 5,000

word chunks and then submit them for criticism by the rest of the class. The second year is devoted to completing the book.

The course is run by Richard Francis, a novelist whose latest book, *Fat Hen*, is shortly to be published; and Michael Schmidt, a publisher and director of the Poetry Centre. Dr Francis said that the MA course was the only one designed solely to produce novels.

The courses run by other universities encompassed most literary genres, but that was not so in Manchester. "We took the bull by

the horns," Dr Francis said. "It is possible to teach novel-writing. You cannot tell people how to write a novel, but you can teach reactively to something in front of your eyes. You are trying to work out what they want to do and how far they are successful and try to bridge the gap."

Clare Wigfall, a 20-year-old undergraduate reading English and American studies, has also been offered a publishing deal by Faber & Faber after an editor heard one of her short stories.

Professor Tony Crowley, head of the department, said: "To have so many students with novels either in print or with deals offered to them is a real success for us."

## Top teachers are offered £40,000 to stay in class

By JOHN O'LEARY, EDUCATION EDITOR

THE best teachers will be offered up to £40,000 to stay in the classroom rather than embark on a management career, under plans announced yesterday to raise standards in state schools.

The first Advanced Skills Teachers will be appointed in September in the proposed new Education Action Zones and in specialist schools. The so-called "super-teachers" will be expected to spend one day a week passing on their expertise to other schools.

But the scheme, delayed after the teachers' pay review body demanded more time to consider the implications, drew immediate opposition from head teachers and classroom unions. They claimed that the new pay scale would be divisive and few schools would be able to afford it.

At the top of the proposed

scale, the teachers would be paid more than all but 1.1 per cent of primary head teachers and 6.7 per cent of secondary deputy heads. David Blunkett, the Education and Employment Secretary, said that a "minority of excellent teachers" should qualify, but the unions want thousands of their members to benefit.

The School Teachers' Review Body, recommending salaries of between £25,000 and £40,000, described the Government's proposals for a new grade as "radical and innovative". Inspectors would gauge whether candidates were sufficiently skilled and there would then be a further selection hurdle.

Labour included the proposal in its general election manifesto as a means of stemming the flow of talented teachers into management positions.

However, the first appointments are likely to be limited to specialist schools and the first five Education Action Zones, which will be named in the next few weeks.

Mr Blunkett's advice to the review body suggested that the initiative would spread nationally in September 1999. Schools could either appoint ASTs from their own budgets or seek a central grant and share the appointee's skills with neighbouring schools.

Under proposals issued for consultation, the limits on the working hours of classroom teachers would not apply to the new grade, reflecting their additional responsibilities to act as "mentors" and spread good practice. Annual pay reviews would determine whether ASTs moved further up the pay scale.

Mr Blunkett said yesterday: "This new grade will reward the very best classroom teachers, encouraging them to stay in the classroom rather than taking up management posts."

David Hart, general secretary of the National Association of Head Teachers, said it would be difficult for governors to make appointments without causing friction over differentials with head teachers and deputies. Doug McAvoy, general secretary of the National Union of Teachers, predicted that problems would be created by cutting across the management structure, and the structure of extra pay for additional responsibilities.

Peter Smith, general secretary of the Association of Teachers and Lecturers, said that up to half of the teaching force deserved recognition.

### LESSONS ON PAEDOPHILES

Children as young as 11 are to be given lessons in how to spot a paedophile. The centrepiece of a programme launched yesterday is a video featuring the television actresses Pauline Quirke and Linda Robson, of the BBC's *Birds of a Feather*. It shows a paedophile winning the trust of a young boy and girl and their parents before trying to abuse the children. Secondary schools will devote up to six sex-education lessons on the project with their youngest pupils.

The 20-minute film was

produced by the Essex Child Protection Committee. It is introduced by Jill Dando, the presenter of *Crimewatch*, and has already won an award from *Community Care* magazine. The initiative reflects increasing concern about the effectiveness of recent measures to protect children from sexual abuse.

Pupils aged 11 to 13 will be told to be wary of adults suggesting that they should keep gifts or meetings secret. The programme emphasises the "normal" appearance of many paedophiles.



MELISSA BELL, the daughter of the independent MP for Tatton, Martin Bell, and Major Peter Bracken, announced her wedding date yesterday but the bride may have trouble getting to the church on time.

The couple — who met while Miss Bell was helping her father's election campaign — have yet to decide on a venue after her father ruled out his local parish

### A wedding Bell running out of time

church in Great Budworth, Cheshire. Mr Bell has boycotted St Mary and All Saints since the Rev Derek Mills "sided" with the Con-

servative former MP Neil Hamilton. Mr Bell, who was at the church until his third visit, he was handed a copy of the parish magazine carrying a letter from the vicar which revealed that he was a "Hamilitarian".

Miss Bell has already chosen her dress and is planning a lavish champagne reception for the wedding on May 3.

## Human rights author may pull out over Patten book

By RAYMOND SNOODY, MEDIA EDITOR

JONATHAN POWER, the distinguished foreign affairs writer whose column is syndicated to more than a hundred newspapers around the world, is on the verge of removing his new book from HarperCollins in the wake of the dispute over the book on China by Chris Patten, the last Governor of Hong Kong.

Mr Power, who for many years worked for the *International Herald Tribune*, is in the final stages of agreeing a contract with HarperCollins on an independent history of Amnesty International, the human rights organisation. The book, which is being written to coincide with the 40th anniversary of Amnesty in 2001, will have a chapter on human rights in China.

Mr Power said yesterday that he intended to seek another publisher for the book "unless something extraordinary happens such as Rupert Murdoch apologising and deciding to publish Chris Patten's book."

Last week The News Corporation, whose media interests include both HarperCollins and The Times, said that Rupert Murdoch, its chairman and chief executive, did not like the book. The book, *East and West*, and disagreed with many of Mr Patten's positions on Hong Kong. HarperCollins gave up the right to publish the book which has now been picked up by Macmillan. Stuart Proffitt, the HarperCollins editor involved, has left the company and is suing for constructive dismissal.

Mr Power has alerted his

HarperCollins editor, Richard Johnson, to the potential problem of the China chapter, said Mr Johnson yesterday approached Eddie Bell, the HarperCollins executive chairman, to draw his attention to the Amnesty International book.

Mr Bell, who has not returned telephone calls from The Times, has called for the synopsis of the book. A contract was due to be signed in the next three weeks.

The loss of a book on the history of Amnesty International would hardly be a huge financial loss to HarperCollins, but it would constitute a further blow to the company's prestige.

Although a number of HarperCollins authors have expressed disquiet about the decision over the Patten book, the only one actually known to have defected so far is Simon Hefner, the publicist and journalist, who returned his advance for his biography of the late Enoch Powell.

Mr Bell yesterday addressed the HarperCollins staff in an attempt to allay their anxieties. Many analysts believe that, ultimately, Mr Bell's position may prove stronger than that of the chairman of a company that bought the rights to what could have been expected to be a controversial book on China, a region of the world where Mr Murdoch has shown sensitivities in the past. Mr Murdoch has been making great efforts to open up the Chinese market to television from the West.

Libby Purves, page 20

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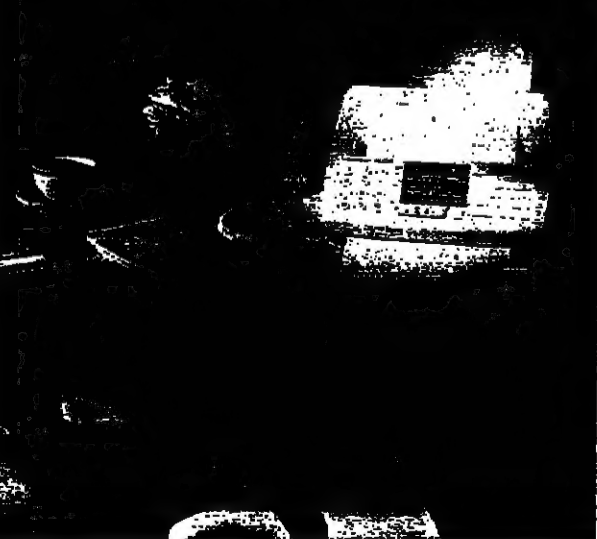
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Marjorie Roberts: body in river



Tracy Wylde: found in flat



Diane McNally: two charged



Karen McGregor: found naked



Leona McGovern: stabbed



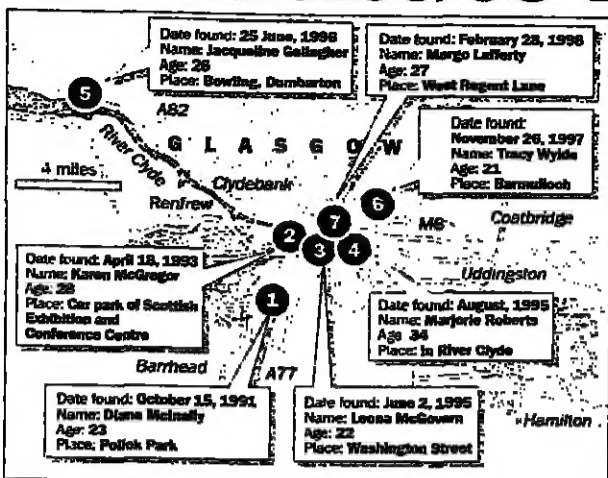
Jacqueline Gallacher: in lay-by



Margo Lafferty: latest victim

## Prostitute murders spark fears of serial killer

Police are denying a link between killings as women flee Glasgow's red-light district, writes Gillian Harris



WITH her dark hair scraped back and a canvas rucksack on her back, Becky looks like a student as she catches her bus. In fact, she is a prostitute who travels to Edinburgh's red-light district in Leith rather than work on the streets of Glasgow where, she believes, there is a serial killer at large.

The discovery of Margo Lafferty's snow-covered body in a cobbled alley close to Glasgow city centre at the weekend has increased the fear that there is a killer preying on prostitutes. Miss Lafferty, 27, was the seventh prostitute to be killed in the city since October 1991. Police insist

that there is no evidence to link the murders.

Miss Lafferty's body was discovered in an office doorway in West Regent Lane, less than a mile from her home, on Saturday evening. She was last seen in the red-light area at about 2am on Saturday.

Forensic tests were yesterday carried out on the area. The officer in charge of the murder inquiry, Detective Chief Superintendent John Campbell, urged anyone who knew anything about Miss Lafferty's death to come forward. "I am quite sure whoever carried out this attack must have been covered in mud, and wet.

It is very likely he would be bloodstained," he said.

Miss Lafferty's death comes only three months after Tracy Wylde, 21, was found murdered at her home. Nearly all Glasgow's estimated 850 prostitutes now tell friends where they are going and note the car registration numbers of the men who pick them up. Others, like Becky, work 50 miles away in Edinburgh.

"I used to work around the same area as Margo, but I wouldn't go near the place now," she said. "Since November I have been going to Edinburgh. It feels safer. I know a lot of girls are doing the same. There is a

madman out there and I'm not going back to Glasgow until he's caught."

Strathclyde Police play down suggestions of a serial killer. There are similarities in three murders where the women were found naked or partially clothed and brutally beaten. Six of them also looked similar with sharp features and dark hair.

Diane McNally, 23, was found in Glasgow's Pollok Park on October 15, 1991. Two men were charged with her murder, but the case did not reach the court.

Eighteen months later the naked body of Karen McGregor, 28, was discovered in a car park at the

Scottish Exhibition and Conference Centre. Her husband, Charles, was charged but the case was not proven. Leona McGovern, 22, was found stabbed 17 times and strangled on June 2, 1995. A man was charged and acquitted.

The body of Marjorie Roberts, 34, was found two months later in the River Clyde, and in June 1996 Jacqueline Gallacher, 26, was found dead in a lay-by in Bowling, Dumbartonshire, wrapped in a curtain.

"Every time a girl is killed the rest of us pray that this time the police will get him," said Becky. "Until they do none of us is safe."



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## Watchdog to cut off town hall's phone monopoly

BY MARK HENDERSON

BRITAIN'S only council-owned telephone exchange looks likely to lose its near-monopoly under a licence review announced yesterday by Ofcom, the telecommunications watchdog.

If public consultations indicate approval, competitors such as BT will be allowed to operate in Hull, bringing to an end an 87-year anomaly.

BT is currently forbidden from connecting customers in Hull where Kingston Communications, the company owned by the city council, has operated the system since 1902. The exchange was allowed to remain independent when private sector switchboards were nationalised in 1911, and again when British Telecom was privatised in 1984.

Kingston Communications today operates 185,000 lines in the city, serving a population of just under half a million. Mercury and cable operators have been permitted to move in for seven years, but have chosen not to do so.

Don Cruickshank, Director-General of Ofcom, said a lack of competition in Hull was holding back the standard of services. "I have to ensure that everyone in the UK has a choice of new services and that these services offer good value for money," he said.

"Hull has not been making the same progress as everywhere else in the country. The Hull telephone market is not and should not be isolated from the new world of communications."

"The people and businesses of Hull need to be given the same opportunities and the same choice in telecoms services as they get in the rest of the UK."

Many popular BT services, such as FeatureNet, a switchboard network for businesses, are not available in Hull because of the exchange system operated by Kingston Communications. The company said it was not

### NUMBER CRUNCH

From the moment BT announced that the telephone box on the slopes of Mount Snowdon was the last one in Britain, people from all over the country started to call. And in their surprise, they got an answer. Jane Hughes, 54, housewife who lives 50 yards away in the hamlet of 12 people, heard the first call shortly after 9am yesterday. "I was used to 90 minutes every time I picked up the phone," she said. "I was quite friendly with some of them." Mrs Hughes, who is married to a lorry driver, "I have spent more time on the phone in the last couple of hours than I have in the past six months."

New BT is checking its records to try to find the new holder of the last-used callbox title.

worried about increased competition, but felt that Ofcom had made unfair criticisms of its services. "Mr Cruickshank is saying customers in Hull get a raw deal, which is just not true," Colin Ashcroft, a company spokesman, said.

"Ofcom say themselves that we are cheaper than BT, and we consistently top their tables for customer service. They say the technology is backward, but we are currently piloting video on demand."

He added that the review would be unfair if it allowed BT to expand into Kingston's licence area without giving it the right to operate in new areas as well.

A spokesman for BT said that the company welcomed the review of licensing arrangements in Hull and that it would monitor its progress carefully. "We will be keen to look at any new opportunities that arise."

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# ENO musicians count the notes in pay row

MUSICIANS at the English National Opera could be paid in 15-minute units if proposals to cut costs go ahead.

While violinists would probably prosper, percussionists and brass players, who are needed less, fear their pay would suffer. They could find themselves counting up the notes in their parts and hoping for a season of Wagner rather than Mozart.

Although the management is said to favour paying by the hour, it is insisting that a single quarter-hour unit is inserted into contracts. "Why would they want that in our contracts unless they plan to use it?" one player said.

It is assumed that the 15-minute payments will apply only to rehearsals. "Surely they can't have people walking in and out of the pit during performances," he added.

Negotiations have broken down, the orchestral committee refusing to discuss plans which it believes will hurt musicians. The committee said: "We are running out of ways to improve the situation. The possibility of an industrial

**Orchestra gives warning that it may take strike action over management plans to pay its members by the quarter hour, writes Dalya Alberge**

action is on the agenda." One player, declining to be named because talking to the press is a sackable offence, said that it was bad enough when they were told that there would be no salary increase for this current season.

They earn an average of £25,000, compared to the £60,000 paid to rank-and-file musicians in the United States. Under the new proposals, the ENO musicians believe they will be taking home far less.

They have passed a vote of no confidence in Mimi Watts, the director of human resources who is negotiating the contracts. They object to contract changes that include extending the hours they are expected to be available, including more Saturday morn-

ing work. One musician said: "On Saturday mornings, many of us have supplemented our incomes with teaching and we will not be able to do that any longer."

Another source said: "Performers of this calibre should not be put under this sort of pressure. Performing is a high pressure job anyway. Musicians turn to drink and betablockers just to cope with the performing pressures. Then there is the constant threat of redundancy. And now this. It doesn't make for a good creative base."

The proposals have implications for orchestras throughout Britain. Although the BBC has introduced an hourly contract for its orchestras, it managed to placate its musicians by offering special ad-

vantages such as extra paid holidays.

While declining to comment on any specific details, Horace Trubridge, the London official for the Musicians' Union, said of ENO: "They want a Rolls-Royce, but they only want to pay for a Mini."

The chorists are also unhappy about long hours and hourly payments: they have already accepted a radical change to their contract, feeling they could not afford to take industrial action. "They were very reluctant," the source said. "But what's the option? They get the spiel from the management about the chorus being integral to the company. But they've whittled them down over the years from 80 to 60-plus. They wouldn't replace people who left. That doesn't imply it's important. There's a feeling that the chorus is a large wage bill, singing scenery."

A spokeswoman for ENO said: "We are not going to comment on something that is in negotiation. It isn't helpful to carry out negotiations in public."



The BBC made concessions while introducing hourly contracts for its orchestras

## Gay women may have different hearing

By Nigel Hawkes  
SCIENCE EDITOR

A PHYSIOLOGICAL difference between heterosexual and lesbian women has been detected for the first time.

Researchers at the University of Texas claim that a characteristic of the inner ear, which differs between men and women, shows similar differences between homosexual and heterosexual women.

The results indicate that sexual preference may be in-built. The causes probably lie during early development in the womb, especially hormone levels. The study, in *Proceedings of the National Academy of Sciences*, used a test of a hearing response that is known to differ between men and women. When the ear hears a sound such as the tap of a pencil, it produces an echo (an otoacoustic emission). Dennis McFadden, of the university, said: "The emissions of 61 homosexual and bisexual women were weaker than those of 57 heterosexual women — or in the male direction."

## Dyslexia study blames errors on brain failure

By Nigel Hawkes

THE brains of dyslexics have large areas that appear to function less well than those in people who have no difficulty reading.

A study using brain-imaging has shown that the areas involved are the same as those in people who have lost the ability to read after a tumour or stroke. The finding suggests that dyslexia is caused by deficient brain functioning, and is a real phenomenon, something that has been doubted.

The region involved links the part of the brain responsible for turning images into words, the angular gyrus, with the region which controls

sense and understanding, Wernicke's area.

In a study carried out at Yale University School of Medicine and published in *Proceedings of the National Academy of Sciences*, 29 dyslexic readers aged between 16 and 54 were compared with 32 normal readers, aged between 18 and 63. All performed a range of reading tasks while their brain activity was followed by functional magnetic resonance imaging, which detects activity by measuring blood flow.

Most of the tests were designed to test the volunteers' ability to manipulate the sounds of letters into words — phonological skills. Among the tests, the volunteers were asked to read nonsense rhyming words, such as "bed" and "lead", which dyslexics find difficult.

The dyslexics showed reduced activity in the region linking the angular gyrus to Wernicke's area. They also showed increased activity in Broca's area, which is linked to speech. Sally Shaywitz, one of the team involved, said that this probably represented an attempt to compensate for impairments.



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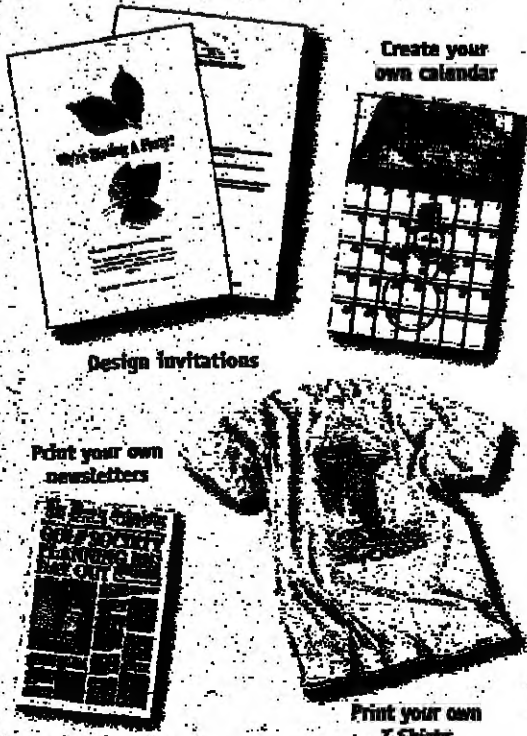
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# Labour accused of hypocrisy over prescription rise

Jill Sherman and Ian Murray on claims that ministers are imposing what they once called a 'tax on the sick'

THE Government was accused yesterday of "breath-taking hypocrisy" after it announced a 15p rise in prescription charges from next month.

Ministers came under fierce attack from patient groups, Labour MPs and the Opposition after disclosing the rise from £5.65 to £5.80 per item, an increase of 2.7 per cent, but the Government defended the increase, which will raise £336 million for the National Health Service, claiming that it was one of the lowest rises in charges in 19 years.

Alan Milburn, the Health Minister, also said it was the first time since 1981 that the rise was below the rate of inflation — now 2.8 per cent — and represented a cut in real terms of 0.1 per cent. Although Labour persistently criticised prescription charge rises while in opposition, the party's election manifesto made no commitment to freezing or cutting charges.

But Tony Blair's official spokesman confirmed that all health charges are being looked at as part of the comprehensive spending review. At present prescription charges apply only to 20 per cent of people and one option being studied is to charge well-off pensioners. To offset this, the Government is considering restoring free eye tests and free dental checks for the

elderly, at a total cost of about £60 million.

Yesterday's prescription-charge rises were widely criticised. Bob Abberley, a spokesman for Unison, the public services union, described the increase as "unpalatable" and said that it would cause distress to many patients.

Simon Hughes, the Liberal Democrat health spokesman, accused ministers of applying a double standard. "For the last 18 years, Labour criticised each rise in prescription charges as a tax on the sick. Now, as the Government, they are doing exactly the same."

John Maples, Shadow Health Secretary, said: "Acts of breathtaking hypocrisy are becoming an everyday occurrence for this new Labour Government."

Mr Milburn countered: "This is one of the lowest prescription-charge increases for 19 years and the first time since 1981 that the charge has fallen against the rate of inflation. The increase allows us to protect the contribution that the charges make to the NHS income, which is important in maintaining services for patients."

But doctors, chemists and patient groups all warned ministers that the increase in prescription charges would deter many people from obtaining the medicines they

needed. Peter Curphey, president of the Royal Pharmaceutical Society, said: "The rise may well be small, but for some people it will be the final straw which will prevent them from obtaining the NHS treatment they need."

"It is now routine for patients with prescriptions for several items to ask the pharmacist not to dispense all their medicines because they cannot afford to pay for them all. Other patients may well be deterred from consulting their GP in the first place because they know they will not be able to afford their treatment."

George Rae, chairman of the British Medical Association's prescribing sub-committee, said that many of the 20 per cent of patients who had to pay for prescriptions already felt unable to afford them. "Instead of putting up charges the Government should carry out a radical overhaul of the charging system to remove the anomalies which make it inequitable," he said.

Claire Raynor, president of the Patients' Association, said the amount of money the NHS would raise was not worth all the trouble that it would cause. "This is just the same as charging people to go and see their doctor and that is not what the NHS is all about. Paying for medical care erodes the NHS."

## MPs to question Irvine

BY JAMES LANDALE

THE Lord Chancellor will be questioned by MPs today about the £650,000 refurbishment of his official residence at Westminster.

Lord Irvine of Lairg's appearance before the Public Accounts Committee will be the first time he has come under public scrutiny since his close involvement in the renovation project was revealed in

a leaked letter published by *The Times*.

One MP said: "We're not going to take any pomposity and condescension. He may be Lord Chancellor but we are the guys who are elected and we are quite determined to hold him to account."

Tories on the committee said that they would question him about the advice he received from officials and ask him whether he realised how

politically sensitive the refurbishment might be.

Lord Irvine will also be asked how often the public will be able to visit the more than 100 publicly owned paintings due to be hung in the residence. He promised "substantial public access" in a statement last week but he had earlier suggested that access would be on two days a month and only for art experts, peers' guests and MPs' constituents.



Side by side: Ann Widdecombe and Michael Howard last worked together at the election.

## Tory enemies manage a show of mutual praise

BY ANDREW PIERCE

MICHAEL HOWARD and Ann Widdecombe declared a truce yesterday after reports that they are about to become Shadow Cabinet colleagues. But their apparent reconciliation, made public in radio interviews, is a long way from the truth.

Mr Howard still blames Miss Widdecombe for destroying his faint hopes of securing the Tory leadership last summer with her treatment of his sacking of Derek Lewis as director of the Prison Service. The redoubtable Miss Widdecombe, who described Mr Howard as possessing "something of the night", has not reversed her view that, as Home Secretary, he misled the Commons over the affair.

For months they have not exchanged a civil word but on Sunday they spoke on the telephone after press reports

that Miss Widdecombe was heading for a place in the Shadow Cabinet. They both agreed to go on the BBC Radio 4 *Today* programme yesterday, but at different times. Neither wanted to be on air with the other.

Mr Howard praised Miss Widdecombe for her effectiveness in opposition, describing her as an "awkward customer" for the Government to handle.

For her part Miss Widdecombe, Prison Minister during Mr Howard's time at the Home Office, said: "I paid tribute... to his qualities as Home Secretary. Now he has made some very kind remarks about me. Time moves on... we have a task in common. It's a tremendous task and both Michael and I want to be a part of it."

In praising Miss Widdecombe, Mr Howard was bowing to the inevitable. Her promotion is assured and

anything other than a gracious response on his part would have backfired. But many MPs who listened to the interviews nearly cut themselves shaving. One said: "I was flabbergasted. They ignore each other or he glares at her. I have never observed any warmth."

That view was shared by friends of both. One Tory source said: "They hate each other. There's been talk of burying the hatchet but I'm not sure where Michael and Ann would bury it if they had the chance."

As for the prospect of sitting next to Mr Howard at the Shadow Cabinet table, Miss Widdecombe maintained her diplomatic posture. "Relations between us are never likely to be very warm. But I am glad that you do not need to be lovely doves to have a good working relationship in politics. I am not sure we will ever be that."

## Saddam must be delighted at divided foe

RIDDELL

ON POLITICS

MILITARY action against Iraq has been postponed, not abandoned. The Baghdad agreement of a week ago offers a respite, but probably no more. That is the view of the main policymakers in Washington and London, though it has not yet been publicly acknowledged on this side of the Atlantic.

Kofi Annan's success in defusing the immediate crisis has highlighted the widely differing international attitudes to handling Iraq. The predominant view in Europe and the Middle East is of admiration for his efforts, and relief that a dangerous military operation with muddled objectives has been avoided — so the United Nations inspectors can continue their task.

The Clinton Administration and the Blair Government have taken a friendly but sceptical view of the Baghdad agreement. They agree that it has reinforced the authority of the UN, but believe that Saddam Hussein only made concessions because of the threat of military action. The United States and Britain have no faith in his long-term willingness to abandon the development of weapons of mass destruction. On their view, there must be no let-up in military preparations until Iraq has allowed the UN team to carry out its inspections and it has been able to destroy chemical and biological weapons over a lengthy period.

The key factor is not the presidential palace but other "special sites" throughout Iraq that are suspected by the inspectors of containing chemical and biological weapon facilities. American and British officials doubt whether Saddam will allow the inspectors full and continuing access to these sites. Hence the discussion in the UN Security Council about a new resolution warning of "very severe consequences" if Iraq bars the UN inspectors. There is disagreement between the United States and Britain, on the one hand, and Russia and, to a differing extent, France, on the other hand, over whether

these words would on their own justify the use of force. But there is no doubt that the Clinton and Blair Administrations are determined to take immediate military action in face of further Iraqi obstruction.

However, unlike Mr Blair, President Clinton is under strong pressure to go even further and remove Saddam from power. The Congressional Republican leadership has been so hostile to Mr Annan's mission to Baghdad that he has postponed a trip to Washington since Senator Trent Lott, the majority leader, refused to meet him. Congressional leaders have been critical both because they believe it is wrong to trust a "mass murderer" like Saddam and because they dislike the Uni-

Threat blasted... page 17

ted States' authority of the UN.

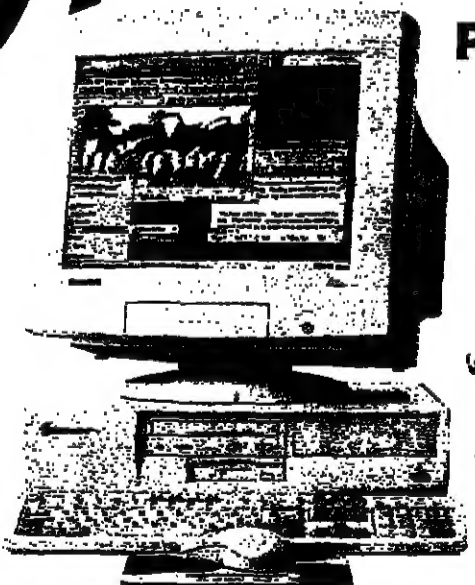
But, as Sandy Berger, the President's national security adviser, wrote in *The Washington Post* over the weekend, the Clinton Administration still opposes military action to remove Saddam because "the costs in blood, treasure and political isolation" are not justified. The most that the Clinton team seems prepared to consider is a stepping up of containment to isolate Saddam within Iraq.

The shift in the political debate in Washington over the past week presents problems for Mr Blair, at home and in the rest of Europe. He is under criticism on the Continent for failing, as president of the European Council, to develop a common EU position, or at least to try to present a collective European view on his visit to Washington four weeks ago. Saddam must be delighted that his foes are so divided about both ends and means.

PETER RIDDELL

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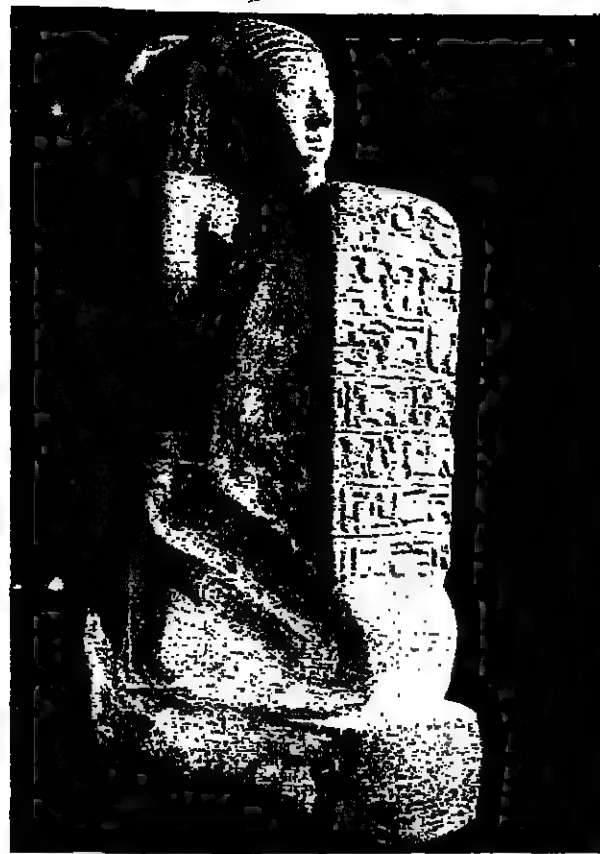
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# Mystery of missing antiquities sold by Sotheby's



The Mahu statue sold by Sotheby's for £16,000

Police reopen case 37 years after  
Egyptian artefacts disappeared  
from castle, writes Stewart Tendler

POLICE are investigating a mystery surrounding Egyptian antiquities that disappeared from a country mansion in 1961 and were later sold by Sotheby's to foreign dealers.

Hector Binney, an antiquities collector, is alleged to have stolen the pieces while looking after Denys Eyre Bower's collection at Chiddingstone Castle near Edenbridge, Kent. The pieces were sold by Sotheby's in 1989 for £43,000 by Arabella Binney Killander, Binney's daughter, who was executor of his estate.

Kent police have reopened the case and a hunt has begun on the international art market to find the pieces, which are thought to have changed hands four or five times. Both collectors are now dead, but detectives expect to interview Mrs Binney Killander this week.

The missing items are up to

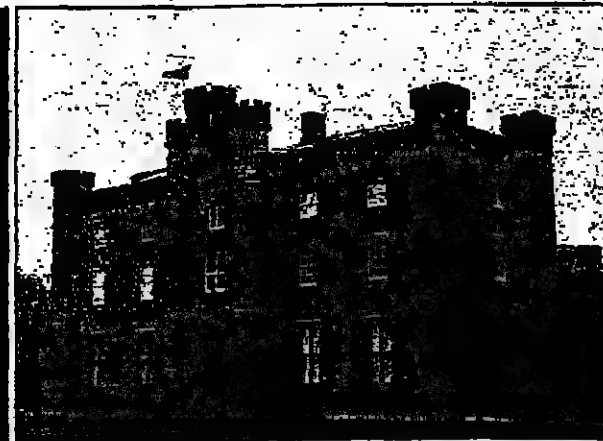
3,500 years old. They include a statue from the reign of Tutankhamun III from 1540-1292 BC depicting a kneeling figure of a priest known as Mahu. Other pieces include a stele, or gravestone, from 712-30 BC, and a basalt carved head 1783-1550 BC.

They were bought by Bower, a former dealer and eccentric collector who began acquiring pieces in his early 20s. In the 1950s he bought Chiddingstone Castle. The 120-room 19th-century castle became home to hundreds of antiquities, including the Egyptian collection, furniture and Japanese works of art.

But in 1957 Bower, 51, shot and wounded his former fiancée after she had ended their engagement. The woman, 22, who styled herself a countess but was a dental receptionist from Peckham, South London, was not seriously injured. Bower was given life. In his absence, he installed



Hector Binney, left, looked after the Chiddingstone Castle collection while Denys Eyre Bower, right, was in jail



Binney, the cousin of the Earl of Cardigan, as custodian, according to Ruth Eldridge, managing trustee for Chiddingstone Castle. Binney, another eccentric collector, left the castle after a dispute in 1961. Later that year, Bower, released on licence, noticed that the Mahu sculpture had disappeared.

Binney twice told police that the statue had been in the castle when he left, but it and other missing pieces were never found. Binney died in 1986 at his home at Pampis-

ford Hall, Cambridgeshire.

Bower died in 1977 and the castle became a charity open to the public. Last year a private history of the castle and Bower's life was published. An Egyptologist read the book and reported to the trustees that the missing Mahu carving had been sold by Sotheby's in 1989.

Miss Eldridge then discovered that four missing pieces had been sold for a total of £43,000 by Mrs Binney Killander. Estimates of the current values vary between a

similar figure and £150,000. Miss Eldridge said she understood the pieces were sold to dealers in France and Switzerland. She believed Sotheby's should have done more to check the background of the pieces.

Sotheby's said that it had been completely open about the ownership and had listed the pieces to the estate of Hector Binney. A spokeswoman said there was nothing to suggest otherwise, because in 1989 there was no way of checking whether an

item had been stolen. The spokeswoman added that Sotheby's was taking the matter extremely seriously and had been in touch with the police, the trustees and the vendor.

Mrs Binney Killander said that she had learnt of the dispute only recently and was surprised to hear about the allegations. "As far as I am concerned, these are part of my father's estate. My father's collection was enormous. I did not know a great deal about his collection."

## Judge guilty of sexual harassment stands down

By RICHARD DUCE

A BARRISTER and part-time judge has stood down from trying cases after the Bar Council found that he had sexually harassed two female colleagues.

After the Bar Council fined him £500, Christopher Sutton-Mattocks agreed with the Lord Chancellor's Department that he should halt all work as a Crown Court recorder pending any appeal against the ruling. He is believed to be the first judge against whom a harassment claim has been made.

Claire Kavanaugh and an unnamed barrister had complained that Mr Sutton-Mattocks, who is married, had molested them and requested sex. Mr Sutton-Mattocks, who sits on the London and South East Circuit, which includes the Old Bailey, had strongly denied the claims.

Mr Sutton-Mattocks was not at the Temple chambers run by the leading criminal barrister Desmond de Silva, QC, yesterday. The chambers clerk said: "We don't know where he is. We think he may be abroad."

A spokeswoman for the Lord Chancellor's Department said: "The Lord Chancellor does not condone any sort of sexual harassment. He [Mr Sutton-Mattocks] has agreed

not to sit as a recorder until the matter has been finally resolved."

It is not clear whether Mr Sutton-Mattocks, who was educated at Oxford, intends to contest the findings of the Bar Council's three-man panel, but he has 21 days to appeal against last week's decision. The fine imposed by the council, the professional body for barristers in England and Wales, is at the lower end of a disciplinary scale that includes the power to suspend or disbar.

The second barrister came forward to support Miss Kavanaugh only after learning that the case had been reported to the Bar Council.

Miss Kavanaugh, 25, said in a statement to the council that she had asked her pupil master if there was anything she could do at work. "He said he would like to 'take me over the couch in the robing room'." She also complained that he had pestered her outside her hotel room during a trip to Calais.

The unnamed woman said most aspects of working with Mr Sutton-Mattocks had been "exceptionally good", but she had transferred to other chambers because he made a number of passes. That was the end of the matter; she had seen him since and they remained on good terms.

However, her statement added: "I do not feel I can — or should — conceal incidents of a similar and relevant nature that occurred during my pupillage."

Mr Sutton-Mattocks said in his statement to the Bar Council that Miss Kavanaugh had never made a complaint to anyone else in their chambers.

The robing room at Guildford Crown Court is small, with people coming in and out all the time, and has a large plate-glass window facing the car park. I cannot think why she should have chosen to make a complaint of this nature."



Sutton-Mattocks denied women barristers' claims

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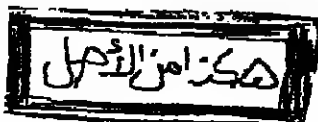
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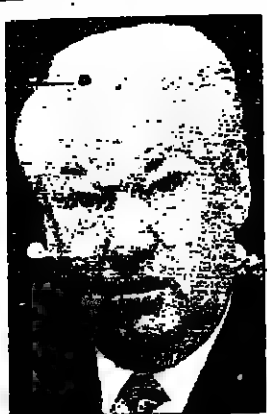
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Yeltsin: seen to be reasserting control

## Yeltsin sacks his deputies' guards

By ROBIN LODGE  
IN MOSCOW

PRESIDENT YELTSIN issued a directive yesterday depriving the leading reformers in his Cabinet, Anatoli Chubais and Boris Nemtsov, the First Deputy Prime Ministers, of their official bodyguards, along with those of ten other senior members of his administration.

The move was clearly aimed at undermining the authority of the two men, who are regarded as the most powerful figures in Russia after Mr Yeltsin himself. Mr Nemtsov, in particular, is cited as a possible successor to the presidency.

No reason was given for the decision, which followed a Cabinet reshuffle at the weekend widely seen as a reassertion of power by Mr Yeltsin, who has expressed his dissatisfaction with his Government's performance, particularly over the economy.

Last month he gave an assurance that Mr Chubais and Mr Nemtsov would remain in their jobs, at least until 2000, despite earlier criticism of both men.

□ Burial approved: Mr Yeltsin yesterday upheld a Government decision to bury the bones of the last Tsar, Nicholas II, and his family, unearthed near Yekaterinburg in 1991, in the Romanov family vault in the Peter and Paul fortress in St Petersburg.

# Germans hail emergence of rival to Kohl

The Chancellor has to rediscover his vote-winning touch, writes  
**Roger Boyes**

HELMUT KOHL is in trouble. That was the message trumpeted by the opposition Social Democrats who yesterday confirmed that Gerhard Schröder would be their challenger to the German Chancellor, and, less predictably, by the conservative media.

For the first time in an election campaign that has languished for months like a yacht in windless waters, Herr Kohl has a serious rival and is running scared. The questions being asked by many Germans are how quickly the Kohl coalition Government will unravel and whether the Chancellor's dream of a tightly integrated Europe will evaporate.

Herr Schröder, who was re-elected on Sunday as Prime Minister of Lower Saxony with a 47.9 per cent share of the vote — a postwar record — was treated as a hero in Bonn by the Social Democratic executive board, which confirmed him unanimously as the official contender for the leadership of Germany.

In doing so, many swallowed private doubts. Herr Schröder is not loved in the party. He plays truant from the regular Monday executive meetings and has not bothered to cultivate a Schröder faction.

The nakedness of his ambition, declared early and forcefully, has set him apart in a party that has become fright-

ened of power. The party preference is for Oskar Lafontaine, its chairman, whose commitment is to nurturing social democratic values, even though there is some uncertainty about what they now are.

But at a news conference yesterday, Herr Lafontaine gave Herr Schröder the party blessing, in the manner of a Roman emperor rugging the ear of a favoured gladiator. Herr Schröder's job is to beat Herr Kohl. After that, the party will reassess control and Herr Lafontaine — dubbed the Napoleon of the Saar, partly because of his height — will become the secret ruler of Germany.

First, however, Herr Kohl has to be beaten. Suddenly yesterday, this seemed possible. In Lower Saxony, the liberal Free Democrats crashed yet again, failing to secure a parliamentary seat. If they fail at a national level on September 27, Herr Kohl is doomed. His Christian Demo-

cratic Union (CDU) can rule only together with the Free Democrats or in a grand coalition with the Social Democrats. He says he will not preside over a grand coalition.

Analysis of the regional election on Sunday shows that Herr Schröder is winning over Christian Democrats — 28,000 switched allegiance — and also mobilising non-voters (142,000). The Germans respected Herr Kohl as a strong man. Now Herr Schröder is identified in this way.

The Chancellor's traditional election-winning assets — somehow he always managed to twin his campaign with economic recovery — are also dwindling. Economic growth this year may be as strong as 3 per cent, still largely exported, but it is not making much of a dent on unemployment. Opinion polls consistently place Herr Schröder higher in terms of economic competence than the Chancellor.

Within the CDU, Herr Kohl is credited with almost magical powers in winning elections — he has led the party to victory four times. Yet closer examination of how narrowly he won in 1994 shows that this skill may be over-rated. It would take only 72,360 Germans to change their second-vote preferences for the Social Democrats to become the strongest force in parliament. That means converting 221 voters in each constituency. The Chancellor is on a knife-edge.

His one hope is to stir up an image of a swirling, uncertain world in which he is the only reliable anchor. He is particularly adept at this mood management. A glance at what a Social Democrats-Green coalition might do shows that the Chancellor still has room for action.

A Red-Green coalition would be at constant loggerheads over the fundamental rift between economic growth and environmental protection — between jobs and nature. Nobody is more aware of this than Herr Schröder, who sits on the supervisory board of



Gerhard Schröder hugs his wife Doris after the state election in Lower Saxony confirmed him as Helmut Kohl's main challenger for the German leadership

Volkswagen; the car industry is a prime target of the Greens. Herr Kohl must frighten the Germans and then ask them to trust him. That is how he has sold the euro — as the only reliable answer to a war-torn continent. Two thirds of Germans are hostile to the euro, but the same proportion say it will happen anyway. Herr Kohl is hoping that he will be

seen as the protector, rather than the destroyer, of the German currency. It is thus the euro that is rapidly becoming Herr Schröder's first challenge. The key euro decisions will be taken in early May, some four months before the general election. In this regard, Herr Schröder has quickly to win the trust of Germans in one of their most

anxious periods. To be sure of beating Herr Kohl, Herr Schröder has to exploit the disgruntlement of the nation. He will stop short, however, of a full-blown Euro-sceptical campaign: the party, and in particular Herr Lafontaine, will not permit him to stray too far from the Kohl line.

A German Blair, page 20

## Scientists put out feelers to create robot bug

FROM ROBERT WRYMANT  
IN TOKYO

JAPANESE scientists have succeeded in creating an insect robot by fusing the antennae of a moth with a wheeled robot containing an electronic "brain".

The prototype "cybug" have been developed by Japan's foremost university research centres in Tsukuba and Tokyo. The scientists hope to harness future versions to carry out tasks, including missions to help to get rid of locusts and other pests.

The driving force for the "cybug" is the power of a female insect to lure male suitors. Male insects are attracted by a pheromone, a sexual chemical secreted and released by the female. To create the prototype, the researchers removed the antennae from a male silkworm moth and integrated them with a tiny electronic unit. When the antennae detect the pheromone of the female, they generate weak electric signals that are processed by a microchip with a neural network similar to the neural system of the moth. The chip directs the movement of minute wheels on the robot, an inch to an inch-and-a-half-long, towards the scent of the female.

Although detached from a moth's body, the antennae continue to function and can activate the electronic circuits for three to four hours.

The primary purpose of our study was to understand how an insect's tiny brain processes information," Mr Kanzaki said. "We succeeded in developing techniques to observe the actions of the insect brain and to reproduce the insect's neural system using electronic circuits."

Mr Kanzaki believes that various "species" of insect robot can be made to serve people in a variety of ways. "Imagine a bee robot. If we can manipulate the queen, we can control a swarm of bees. If we make a locust robot, then we can control hordes of locusts."

Yet another application is to fit moth robots with tiny cameras and dispatch them to inspect inaccessible areas.



Helmut Kohl discussing the results yesterday

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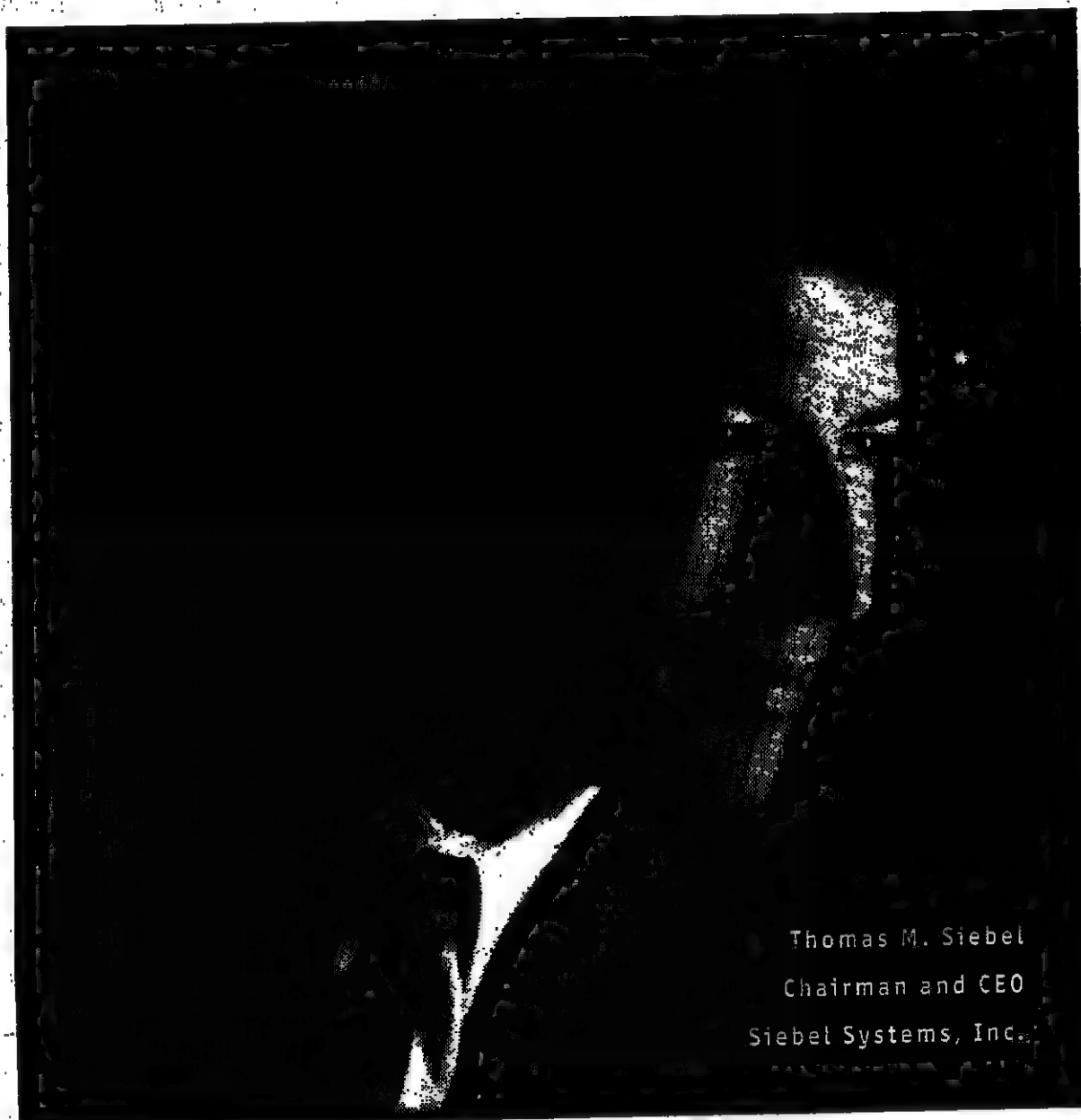
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# Object of bungled mission was murder, says Mossad agent



Netanyahu: being told not to appoint outsider

AS CONTACTS continued between Israel and Switzerland yesterday to free a Mossad agent detained in Bern last month, a senior Mossad officer said the true purpose of the bungled operation had been assassination and not bugging as claimed.

In an interview with *The Times*, the officer, serving under Mossad's Brussels-based European directorate, said that the target had been two businessmen suspected of helping Iranian-backed Hezbollah (Party of God) guerrillas to acquire biological and chemical weapons from Eastern Europe and ship them to the Middle East via the Balkans.

Swiss officials refused even to confirm that Hezbollah, armed and financed from Tehran, was the target of the Mossad operation.

A senior Israeli intelligence officer says that the hit team arrested in Switzerland were on the trail of two businessmen with Hezbollah sympathies, Kevin Dowling and Christopher Walker report

saying only that the Israeli agents were working against "an organisation active in the Middle East, which has no formal ties with Switzerland".

The Israeli officer, who asked not to be identified, said that one of the targets had been Abdullah Zein, whose telephone, according to "the sanitised version", was in the process of being bugged when a suspicious neighbour called the police

to the building in the Bern suburb of Liebefeld.

According to the Mossad officer's account, the plan was to murder Mr Zein, 32, a Shia Muslim from southern Lebanon who had lived in Switzerland for several years, and the other businessman with the same poison that had been misused so disastrously last September when a Mossad hit team failed to assassinate Khaled Meshal, the Hamas

political leader, in Amman, the Jordanian capital.

The Mossad source said: "The attempt on Meshal's life failed when, instead of spraying the toxin into his ear, from where it should have travelled to the brain, causing haemorrhage and death within six to 18 hours, the poison struck his neck and collar." He added: "The Israeli spy [in Bern] was caught in possession of 'suspicious objects', according to the Swiss police. It appears these were deadly aerosol sprays developed by Mossad chemists. When a bulb concealed in the palm of the hand is squeezed, a powerful nerve agent squirts through a nozzle protruding from the clenched fingers of the agent's fist."

The officer claimed that the operation in Switzerland had been approved by Danny Yatom, then the Mossad chief, in an effort to salvage his reputation, and that it had been opposed, "root and branch" by career officers within the service. He said that that was why "R", the chief Mossad field officer, resigned abruptly late last month and that the resignations of three more senior agents in the operations branch would come soon.

The officer who spoke to *The Times* appeared to be motivated by a desire to influence the appointment of Mr Yatom's successor, now a subject of heated argument within Israel's defence establishment. Senior figures are trying to dissuade Benjamin Netanyahu, the Prime Minister, from appointing another

outsider, like former Major-General Yatom, unfamiliar with the world of covert intelligence.

The disgruntled officer, interviewed in England, said that at least one member of the squad that bungled the assassination of Mr Meshal had been among the Mossad team arrested in Switzerland on the night of February 19.

The source said that the squad travelled to Mr Zein's flat in two hire cars. It consisted of two supposed Israeli couples posing as students who had flown from Tel Aviv to Zurich on February 17, ostensibly en route to a skiing holiday, and the "technician" who was to carry out the assassination. It was not clear when the poison attack was supposed to take place.

## Italy declares Tehran free of terror links

FROM RICHARD OWEN IN ROME

LAMBERTO DINI, the Italian Foreign Minister, yesterday raised the anger of America and some of Rome's European partners, including Britain, by using a visit to Tehran to exonerate Iran from "any association with terrorism" and insisting that the country's arms build-up offered "no cause for alarm".

Signor Dini, the first European Foreign Minister to visit Iran since the EU revoked its ban on ministerial trips there barely a week ago, said President Khatami had assured him that Iran "does not support international terrorism in any way, whether by states or by individual groups... on the contrary, Iran condemns terrorism because it has itself suffered from it".

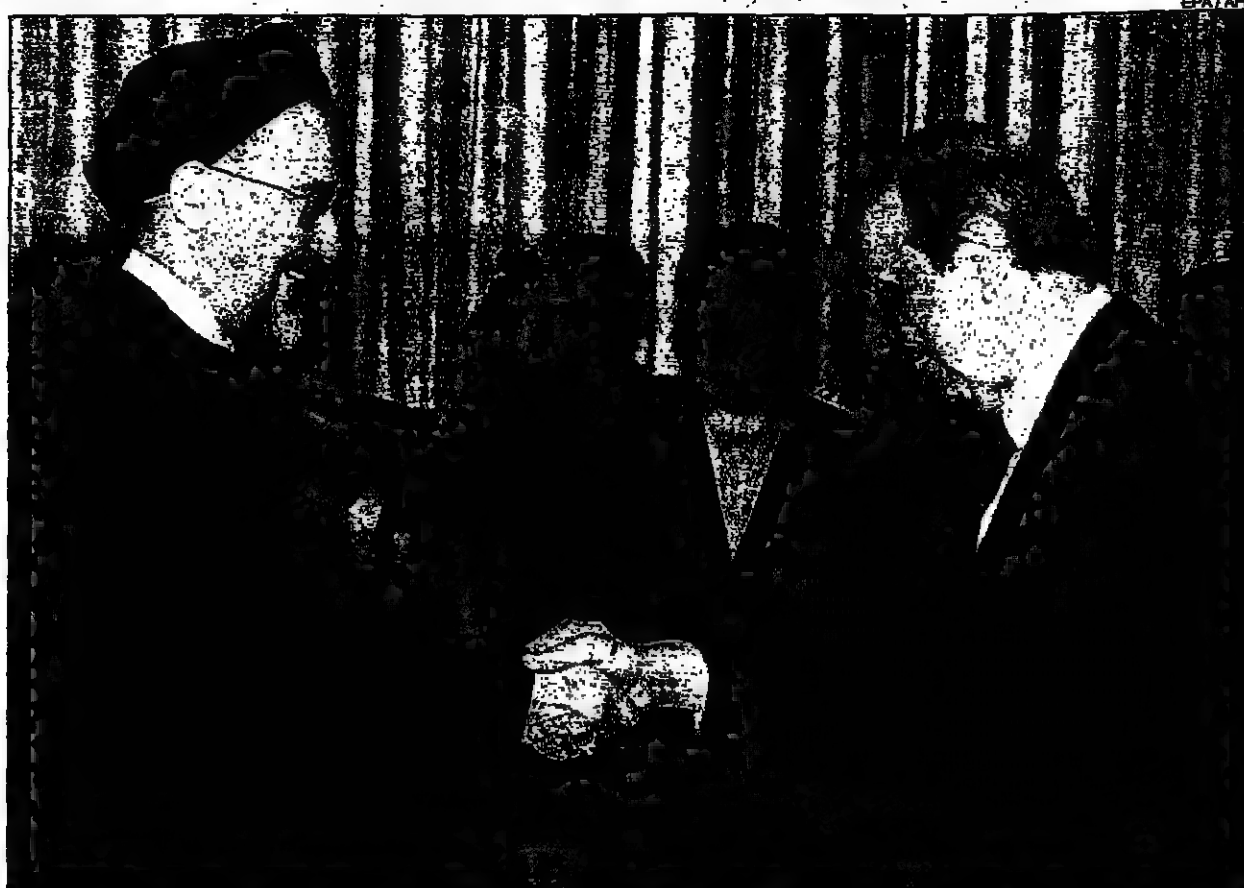
The EU diplomatic embargo was imposed last April after a German court ruled that the Iranian leadership was behind the murder of three Kurdish dissidents in a

Berlin restaurant in 1992. Italian officials said that under the "moderate" President Khatami, elected last May, Iran had taken a "new direction". Signor Dini described the Tehran leader as "a cultured man with a clear vision of Iran's future, who seeks dialogue with the United States". Iran was "not a dictatorship, but an Islamic state based on the Koran".

Il Corriere della Sera newspaper said the real reason for Italy's "indecent rush" to take advantage of the EU opening to Tehran was "the race for commercial advantage in the Gulf... both Iran and Iraq are being eagerly courted by Rome". Iran has a quarter of the world's gas and oil reserves, and Italy receives 17 per cent of its oil needs from Iran.

But Signor Dini maintained that Iran was "evolving much faster than is observable from outside the country". He said that he would make the point "openly and frankly" to Madeleine Albright, the US Secretary of State, when she visited Rome next weekend. Signor Dini said it was "over a year since any terrorist attack has been attributable to either Iran or Libya". There was "no proof" that Iran was involved in the financing or training of terrorists. He said the Iranian arms build-up had to be "followed closely", but Tehran's arsenal was limited to "its own defence needs". Its dimensions were "not sufficiently large to cause undue alarm... the problem has to be seen within the context of regional conflicts and the balance of power".

On human rights, Signor Dini said the West tended to measure Islamic states "by its own values... rather than talking of human rights, which in Iran are guaranteed". But Italian diplomats



President Khatami greets Lamberto Dini of Italy, the first Foreign Minister from Europe to visit Iran since the EU revoked its diplomatic embargo, which was prompted by the murder of three Kurdish dissidents in Berlin

said that "behind the scenes" Signor Dini had called on Iran to lift its fatwa condemning Salman Rushdie, the author, to death for "insulting Islam" in his book *The Satanic Verses*. Italy has long advocated "constructive dialogue" with

pariah states such as Libya, Iraq and Iran, and recently opposed the planned Anglo-American military strikes against Baghdad. Last October, Signor Dini said there were "welcome signs" that Colonel Muammar Gaddafi, the leader of Libya — a former

Italian colony — had "backed away" from terrorism. Italian officials said Rome hoped to become the first Western capital to re-establish ties with Tripoli, diplomatically isolated since the 1988 Lockerbie bombing. □ Detention ban: The head of

Iran's judicial system, Ayatollah Muhammad Yazdi, issued a decree yesterday banning suspects "before they are tried and a verdict has been issued", except in emergencies, the official Iran news agency reported. (AFP)

## Fatima secret 'foretold Gorbachev peace role'

BY RICHARD OWEN

THE world was saved from nuclear war in the 1980s by the rise of Mikhail Gorbachev, who later "went down on his knees to ask the Pope for forgiveness" for the "sins of Communism", according to a new account of the so-called "Secrets of Fatima".

The "secrets", allegedly given to three Portuguese children by the Virgin Mary in a series of visions in 1917, have long been shrouded in mys-

tery. The only survivor of the three, Lucia dos Santos — now a 91-year-old nun — wrote down the apparently apocalyptic message and passed it to the Vatican in 1944.

The first two secrets are said to involve "visions of Hell" and "calls to the world to repent", but the third is known only by the Pope and a handful of close advisers.

Italian newspapers yesterday reported that Sister Lucia had confirmed to two cardinals who visited her that the

secrets revolved around Russian "military aggression and anti-religious persecution" after the 1917 Revolution, and its withdrawal from the brink of nuclear war nearly 70 years later after its abandonment of Communism and "reconversion to Christianity".

The cardinals have not divulged what Sister Lucia told them. But an account by a religious writer who was also present is to appear in the Portuguese monthly *Christus*, and parts have been leaked.

They allege the key event which averted nuclear war came when Pope John Paul II "dedicated Russia to the Virgin Mary" and prayed for Russia's conversion in St Peter's Square in March 1984.

"Exactly a year later, on March 25, 1985, Gorbachev was elected Soviet leader," Sister Lucia told the cardinals. "He was the unwitting instrument of God."

It is not clear what might have triggered a nuclear war in 1984-85, although it was a

time of high tension over President Reagan's "Star Wars" space weapons programme and the deployment of missiles in Europe. Mr Gorbachev met the Pope at the Vatican in 1989.

The Pope hinted in 1980 that the visions involved "the deaths of millions of people in the flash of a second", but some theologians have suggested the third secret predicts a "universal loss of faith" in the next millennium and the collapse of Catholicism.

## Suharto faces reform warning from Clinton

FROM A SPECIAL CORRESPONDENT IN JAKARTA

WALTER MONDALE, the former US Vice-President, arrived here yesterday to convey to President Suharto of Indonesia what is expected to be a stern warning from President Clinton against renegeing on reforms agreed with the International Monetary Fund. Shortly after Mr

Mondale arrived, the Indonesian Government announced that inflation for last month was 12.76 per cent, the highest monthly figure since the chaos of the 1960s.

Reports from Washington have hinted that Mr Clinton is likely to block the next US\$3 billion (£1.85 billion) tranche of the \$43 billion that the IMF has promised Indonesia unless Mr Suharto hastens reforms agreed in January.

London International Group, in effect, will be contributing to the success of China's one-child-per-family policy, besides reducing the spread of HIV, although company officials denied that they were getting into the "controversial" family policy area. □ Thousands held: China practised gross violations of human rights last year, Amnesty International reports today. It adds that the police arbitrarily detained possibly thousands of protesters and suspected opponents of the Government. (AFP)

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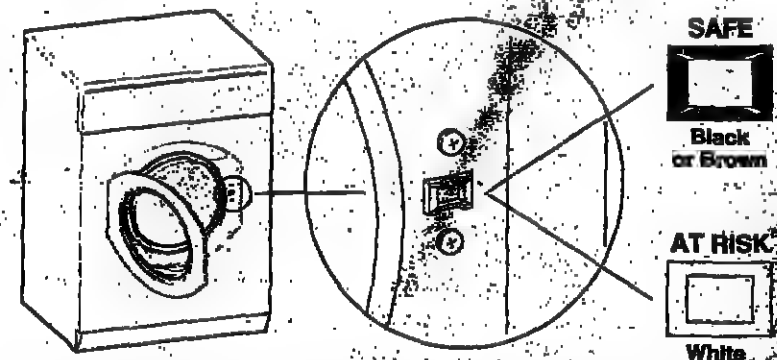
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# Serbs try to quell Albanian revolt in Kosovo

SERB riot police yesterday attacked a crowd of nearly 50,000 Albanians marching through the streets of Pristina, the capital of Kosovo, where the majority of the population now actively seem to support secession from Yugoslavia.

In some of the worst violence seen in Serbia in a decade, scores of demonstrators were beaten up and police gave vigorous chase to journalists, especially television cameramen who witnessed the bloody clampdown.

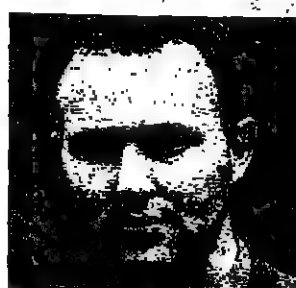
Local television reported one dead in the demonstration — shot by police — and 150 injured. Two of them were in comas.

Films and videos were confiscated or ripped apart, and in one instance police forced a cameraman desperately attempting to save his tape to jump from a second-floor window. In his fall he broke an arm and a leg, and witnesses say he was again kicked and punched on the ground.

Tension in Pristina increased in the afternoon, when a Serb policeman — killed in Albanian secessionist fighting over the weekend — was buried on the outskirts of the town.

More than 1,000 angry Serbs watched a special police unit fire a volley of shots over the coffin. The Albanians are expected to bury their 16 dead today and tomorrow, and at least 100,000 mourners are expected.

The violence in Kosovo threatens to spill over into the worst-case scenario long pre-



**Ethnic unrest**  
**raises Balkans**  
**fears, writes**  
**Tom Walker**  
**in Pristina**

dicted by Balkan analysts: an Albanian fight for autonomy that could split apart what remains of Yugoslavia, led by President Milosevic, and encourage similar struggles for independence among Albanian and other communities in the former Yugoslav Republic of Macedonia and in Montenegro.

Last night Kosovo's political parties, from the pacifist Democratic League of Kosovo to the warmongering supporters of the Kosovo Liberation Army, were debating how best to continue their struggle against President Milosevic, who for the moment brooks no compromise with the West in

his bid to suppress the revolt. Most Serbs side with him, believing that Kosovo, the seat of the Orthodox Church and the site of the last-ditch battle in 1389 that presaged 500 years of Turkish rule, is sacred ground.

The predictable clampdown by the authorities yesterday began in mid-morning, when more than 500 riot police, supported by special Interior Ministry units in black uniforms, formed cordons dividing the demonstrators into vulnerable pockets.

The lucky ones were doused by water cannon and bombarded with teargas, while others were openly beaten up.

The police chased some terrified demonstrators into buildings, including the offices of the local Albanian newspaper, *Koha Ditore*, from whose windows the injured cameraman jumped. As some Albanians

drove his car through a crowd of Albanians, injuring several. The exact numbers of those hurt were impossible to judge, as Pristina's main hospital was blocked off by the police. Many injured Albanians pre-

ferred to stay out of the state hospital, and several were treated in the Mother Teresa clinic near the town centre. A British diplomat helped to drive some of the injured to safety. At the police funeral

later — in a cemetery lying just beneath the ancient fields venerated as the site of the Battle of Kosovo — angry colleagues of the three dead officers vented their frustration at watching journalists.

A Belgian reporter was thrown against a wall and warned that he would "be shot the next time".

The Serb security forces are paranoid that the Western media are portraying the Albanian guerrilla movement as a romantic freedom struggle. A growing desire to take revenge against the local population was also palpable. "You'll find out who these guys are soon, just wait," said

one policeman, pointing to his black-shirted Interior Ministry colleague. "The Albanians have destroyed this country, and it stinks."

A civilian walking by said simply: "This is Serb land. Stop your lies."

As Pristina sank into an uneasy calm before sunset, the first detailed reports of the weekend's conflict in villages around Glogovac, 20 miles to the southwest, emerged. The Serb police were shot dead by an Albanian whose car they were chasing.

In the subsequent reprisals, Albanian witnesses claimed that Serb army and police units opened fire indiscriminately. In one village an armoured personnel carrier was said to have drawn up beside a house and fired a cannon round through the front window, killing a couple on a sofa.

"The husband was trying to protect his wife; she had her face blown off," said one witness. Their four children were allegedly forced to lie face down in the garden for four hours afterwards.

As well as armoured personnel carriers, helicopter gunships aided the slaughter. "They fired at everything that moved," said another witness. A pregnant woman was among the dead.



Serb police beat ethnic Albanians in Pristina yesterday. One demonstrator died and at least 150 were injured in violence as nearly 50,000 people marched through the streets

## The violence could split apart what remains of Yugoslavia

As the violence in Kosovo threatened to spill over into the worst-case scenario long predicted by Balkan analysts: an Albanian fight for autonomy that could split apart what remains of Yugoslavia, led by President Milosevic, and encourage similar struggles for independence among Albanian and other communities in the former Yugoslav Republic of Macedonia and in Montenegro.

Last night Kosovo's political parties, from the pacifist Democratic League of Kosovo to the warmongering supporters of the Kosovo Liberation Army, were debating how best to continue their struggle against President Milosevic, who for the moment brooks no compromise with the West in

## Macedonia fears spread of violence

FROM JAMES PETTIFER IN SKOPJE

FEARS are growing that the violence in Kosovo will spill over into the Former Yugoslav Republic of Macedonia, with the arrival here of a high-level delegation from the Belgrade Ministry of Justice.

The delegation is believed to be seeking an agreement with President Gligorov's Government to allow Serb forces hot-pursuit rights over the border to arrest suspected guerrillas and to extradite them for trial in Serbia.

Serb security sources here fear that even if they can restore full control over Kosovo, Macedonia will remain a safe

haven for members of the guerrilla Kosovo Liberation Army. There is evidence that they are operating in the mountainous border between the two states, and some of the radical Albanian leaders of the Party for Democratic Prosperity mostly originate from Kosovo.

In the past two months, there have been bombings at police stations here which have been claimed by the guerrillas, and major arms finds near the western mountain town of Gostivar.

Albanian political leaders are planning to withdraw from all Macedonian institu-

tions if the former Mayor of Gostivar, Rudi Osmali, has to serve a seven-year jail sentence imposed for his part in last July's violent conflicts in the town.

The Serb request for assistance poses a dilemma for the Skopje Government. Serbia is Macedonia's biggest trading partner, and ethnic Serbs have always played a major part in Skopje life. Serbs and pro-Serbs are powerful in the key Interior Ministry. But with elections coming this October, total alienation of the 25 per cent Albanian minority is not practical politics for Mr Gligorov.



## Women block Nato war games in search for missing relatives

Tuzla: Dozens of women whose menfolk were probably killed when Bosnian Serbs captured Srebrenica almost three years ago caused a traffic jam in this northern Bosnian town yesterday to highlight their plight.

The demonstration delayed the start of five-day Nato troop manoeuvres in the area because military vehicles were trapped in the jam.

Local authorities refused to

allow the women buses to take them to Sarajevo, the Bosnian capital, to press demands for an answer about the fate of their relatives.

The head of Tuzla canton, Sead Jamakosmanovic, said that residents of Sarajevo had complained about traffic jams when the Srebrenica women visited two weeks ago.

He said that he had wanted to avoid confrontations and protect the women. About

7,000 men from Srebrenica have been officially listed as missing since the Serbs overran the town in July 1995.

In Sarajevo, about 200 Srebrenica women gathered to demand information about whether their menfolk were dead or alive. "I lost four sons, a grandson, my husband, two brothers and two nephews. But I have not lost hope," said Munira Zukic, 67. "I still hope someone is alive."

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# Reagan 'failed to recover from shot'

FROM BRONWEN MADDOX IN WASHINGTON

RONALD REAGAN never recovered after he was shot two months after taking office and his eight-year presidency, which has come to symbolise the sunny mood of 1980s America, was a private chronicle of mental and physical deterioration.

Edmund Morris, his official biographer, who for 12 years had access to the former President, his family and his personal papers, says that the 1981 assassination attempt triggered a "very, very slow and steady mental and physical decline".

If it is the most startling allegation in Mr Morris's long-awaited book, due out this autumn, and is echoed in a widely praised television documentary, the details of Mr Reagan's deterioration in office have emerged during a wave of glowing testimonies — obituaries in all but name — to the historical significance of "the Gipper", now 87 and suffering from advanced Alzheimer's disease.

Mr Reagan is now loved more than ever by millions of Americans for his simple conviction about the right road to prosperity. Yet his presidency was riddled with contradictions: he favoured balanced budgets, but pushed the national debt to unprecedented

heights. He is one of the few Presidents to have spun a distinct ideology, of cutting taxes and "getting government off your back", yet left Republicans deeply split over that philosophy. For those in work, he brought back the golden age; for those who suffered in the wake of redundancies, he brought a mood of insecurity that persists today.

But the greatest paradox is that a man who has become the yardstick for presidential popularity was so often remote, inarticulate, and inscrutable. In a four-and-a-half-hour, highly regarded documentary on the Public Broadcasting System, his son Ronald Prescott Reagan said: "Alzheimer's is a terrible thing... but some of the pain may be lessened by the fact that things haven't changed that much, in a way. We're not missing something that we had to begin with." In apparently affectionate remarks, the younger Reagan warned filmmakers: "You're not going to figure him out, that's the first thing you need to know. I don't think he's figured himself out."

Mr Morris agrees: "What made Reagan uniquely difficult was that he was incurious about himself. There-

fore, he lacked introspection." Mr Morris sheds little light on one of the mysteries of the era: what Mr Reagan knew about efforts to sell arms to Iran and use the profits to help Nicaraguan Contras. "He was taken advantage of by aides, who thought they were doing his will, and probably were," Mr Morris told *The New York Times*. "But because of his remoteness, they never felt they had to double-check with him."

But Mr Morris confirms the "terrible secret" of the Reagan era, as Bob Woodward, the *Washington Post* reporter, once called it, that the President's growing remoteness was caused by a real decline in his faculties. In his second term, he spent ever-longer holidays at his Californian ranch and made clear his dislike of being briefed.

Mr Morris was given extraordinary access to the Reagan papers because Mr Reagan loved his 1979 Pulitzer-prizewinning biography of Theodore Roosevelt. In 1985, Mr Morris signed a \$3 million (£1.8 million) book contract with Random House for the Reagan work, putting work on a second Roosevelt volume on hold.



President Reagan raises his hand after being shot in 1981 and glances up before being bundled into his car by agents.

## WORLD IN BRIEF

### British food aid for North Korea

BRITAIN is to announce a new aid package for North Korea, tomorrow after reports from the United Nations World Food Programme that the famine-hit Communist state could run out of grain within two weeks (Michael Binyon and Victoria Fletcher write).

Details of British help were yesterday being finalised by the Department for International Development. Britain has no diplomatic relations with North Korea, and so Government help would probably be channelled through those aid organisations that have visited some of the worst-affected areas. The Rome-based WFP, currently feeding 4.7 million people, forecasts that food stocks will run out at about the end of next month, a worsening of the situation compared with last year when they lasted until June.

### Mugabe threatens strikers

Harare: Zimbabwean unions rejected government pleas to call off a two-day anti-tax strike, which President Mugabe has threatened to stop with force. The Government said it would deploy troops and police to prevent the stoppage planned for today and tomorrow. President Mugabe, Zimbabwe's sole ruler since independence in 1980, used soldiers in January to crush food price riots that killed six people. (Reuters)

### Cardinal sex inquiry opens

Vienna: Vatican investigators opened an inquiry into a second wave of allegations of criminal sexual activity against Cardinal Groer, once Archbishop of Vienna, in a case that has rocked the Church in Austria (Nigel Glass writes). Days before investigators, led by Abbot Marcel Rohner, head of the Benedictine order, arrived here, the Cardinal was declared guilty by his successor and long-time apologist, Archbishop Schoenborn.

### Mayhem halts Korea vote

Seoul: Mayhem erupted in South Korea's parliament, halting a vote to approve Kim Jong Pil, nominated by President Kim Dae Jung, as Prime Minister. Ruling party members swarmed around screened voting booths and sat on the wooden ballot boxes, pushing away members of the opposition Grand National Party, who cast blank votes to block the appointment. (AFP)

### Vietnam bus plunge kills 50

Hanoi: As many as 50 people, mostly women and children, are believed to have died when a bus plunged into a lake in one of Vietnam's worst road accidents, police said. Rescuers worked to salvage the bus, which sank after colliding with a cement lorry in the central coastal province of Binh Dinh. Thirty people were taken to hospital, half with serious injuries. (AFP)

### Carlos loses claim for cash

Paris: Ilich Ramirez Sanchez, right, the international terrorist better known as Carlos the Jackal, failed in a court here to win £32,000 compensation from Columbia-Tristar-France for *Contract on a Terrorist*, a film being planned on his life. Carlos, convicted in December to life behind bars for a triple 1975 killing in Paris, is facing trial for several other attacks. He claimed the film was an attack on his right to be presumed innocent. (AFP)



### Nerve gas doctor faces life

Tokyo: The Japanese doctor who spread deadly Sarin gas on the Tokyo subway escaped the death penalty when prosecutors demanded instead that he be jailed for life. Isao Hayashi, 51, once a promising heart surgeon, has admitted being one of the Aum Shinrikyo sect members who released the nerve agent into the subway in 1995, killing 12 people. (AFP)

### Dog given bad name is shot

Nairobi: A dog has been sentenced to death in Tanzania for answering to the name "Immigration" (David Orr writes). A magistrate in the southwestern region of Rukwa ruled that the name made a mockery of a highly respected government department. It is believed the animal has already been shot.

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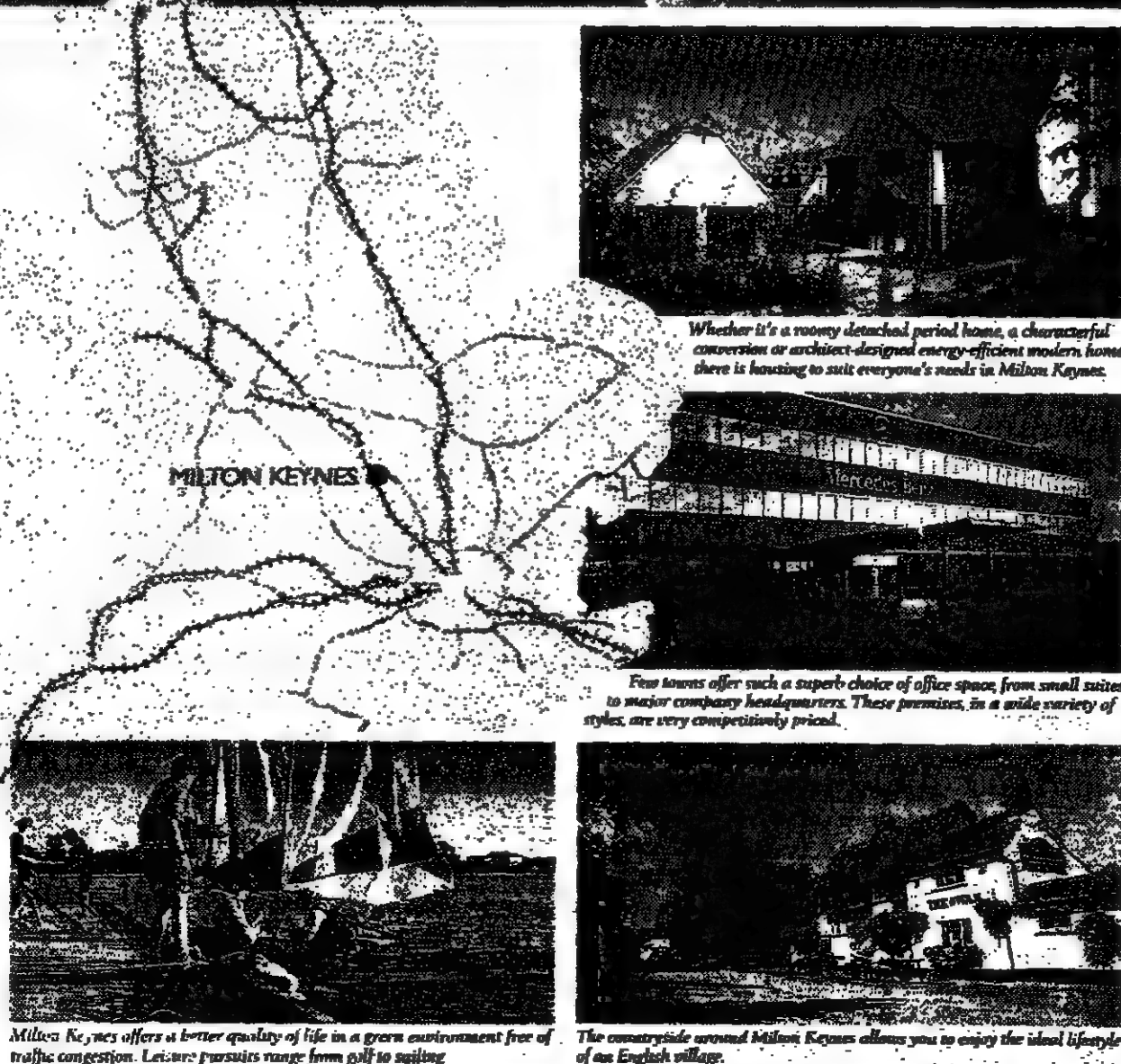
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# Uranium risk 'for 400,000 Gulf troops'

FROM IAN BRODIE IN WASHINGTON

A NEW controversy over Gulf War syndrome was raised yesterday by a private report alleging that as many as 400,000 American and coalition troops may have been exposed to hazardous particles of depleted uranium.

Pentagon officials, while admitting there may have been thousands of unnecessary exposures, insisted there had been no known health risk. They said that 33 soldiers who were exposed to the uranium had been closely monitored for the past seven years and none had developed health problems.

Yesterday's report, which is considered alarmist by Pentagon officials and could further embarrass the Clinton Administration, was issued by the National Gulf War Resource Centre, a coalition of veterans' groups. Its estimate of 400,000 is based on surveys of the number of allied troops who reported having contact with destroyed Iraqi equipment.

Depleted uranium is a metal residue left after natural uranium is refined and all but a minuscule level of its radioactivity is removed. The residue is used in artillery shells and bombs for its effectiveness in piercing tank armour. When depleted uranium hits a target it usually burns and oxidises into small particles. If inhaled, they can be toxic.



Clinton: report could add to embarrassment

Victor Suell, a radio operator with the US Marines when they swept into Kuwait, says in the report that no one told them to stay away from destroyed Iraqi tanks that might have been contaminated. He now suffers from kidney problems and other ailments.

Until recently, the Pentagon office investigating links between the mysterious ailments of Gulf War veterans and troop exposures to a variety of toxins and chemical agents had insisted that only 27 soldiers may have been exposed to depleted uranium. It also contended that the troops faced no health risks from their exposures.

But on January 8, in a report marking the first year of its

investigation, the Office of the Special Assistant for Gulf War Illnesses made a sweeping — but little noted — admission that thousands of troops may have been exposed.

It acknowledged "serious deficiencies" in what troops were told about the dangers of depleted uranium. It said the hazards were well documented, but unfortunately known only to technical specialists and were not relayed to troops.

The veterans' coalition claimed that the Pentagon deliberately kept soldiers in the dark and failed to conduct immediate tests on those who may have been exposed.

"They were aware that they had a problem on their hands and they were looking to minimise the public relations fallout from it," said Dan Fahey, the principal author of the study, who works for the Swords to Ploughshares Veterans' Rights Organisation in San Francisco.

□ **Kurdish ailments** Ten years after President Saddam Hussein dropped chemical weapons on the Kurdish city of Halabja in northern Iraq, its citizens reportedly continue to suffer devastating physical ailments and deformities. One account said damage had extended to victims' DNA, resulting in hideous birth defects that would continue for generations. (AP)



Petty Officer Scott Vanderpool greets his wife Alyssa in Norfolk, Virginia, on the return from the Gulf of the aircraft carrier USS Nimitz

## Britain claims UN success on threat to Iraq

FROM JAMES BONE IN NEW YORK

BRITAIN claimed last night to have secured unanimous support for a new Security Council resolution warning Iraq of the "severest consequences" if it breaks its weapons-inspections pact with the United Nations. But the draft stopped short of authorising renewed military action.

Sir John Weston, Britain's UN Ambassador, said a vote would be taken last night and that he would be

surprised if all 15 council members did not back the resolution.

Britain was seeking to send a stern warning to Iraq not to go back on the Memorandum of Understanding it agreed with the UN Secretary-General to allow the resumption of UN weapons inspections.

Negotiations bogged down for a time as other Security Council members sought to ensure that the British draft would not be interpreted as giving automatic authority for a new military strike on Iraq if Baghdad

breaks the agreement. Diplomats in the meeting said the deadlock was broken when Sir John gave an assurance that the resolution did not entail such "automaticity".

The text emphasised Iraq's obligation to allow "immediate, unconditional and unrestricted access" to UN weapons inspectors and gave a warning that "any violation would have the severest consequences".

The draft also committed the Security Council "to remain actively seized of the matter for the purpose of

ensuring implementation of the present resolution and to secure peace and security in the area" — a provision taken by some members as a guarantee that council action was required for any future use of force.

Britain and the United States face stiff opposition within the Security Council to any proposal that appears to give new legal authority for airstrikes on Iraq if President Saddam Hussein goes back on his word.

Leading article, page 21

## Clinton's privacy battle with Starr resembles replay of Watergate era

Ian Brodie reports on the growing legal feuding in the Lewinsky case

ECHOES of Watergate are growing louder in Washington as a feud intensifies between President Clinton and Kenneth Starr, the independent counsel, over the issue of executive privilege.

The term refers to the principle of confidentiality for candid discussions between an American president and his senior advisers. Its purpose is to protect the president and aides from having to answer questions in court about what was said at private meetings.

Mr Starr has brought the issue to the fore with his investigation into the Monica Lewinsky affair by issuing subpoenas ordering White House aides to testify before his grand jury. They include Sidney Blumenthal, a former journalist, and Bruce Lindsey, who has been at Mr Clinton's side since Arkansas days.

Both men have refused to answer certain questions, citing Mr Clinton's right to executive privilege. Now Mr Starr and White House lawyers are thought to be preparing to argue the issue before a Washington judge.

In 1974, the Supreme Court formally recognised the principle of executive privilege. When Richard Nixon appealed to the justices against having to release Oval Office tapes of his discussions about Watergate, Damningly, though, the Supreme Court also ruled that Mr Nixon could not use the privilege to shield his criminal behaviour. Publication of the tapes ultimately forced Mr Nixon to resign under the

threat of impeachment. Mark Rozel, author of a book on executive privilege, says it is usually reserved for the most compelling circumstances, such as protection of national security. In the Lewinsky case, Mr Clinton may be using a losing argument. Mr Rozel said. So far, the White House has not officially acknowledged that it will claim executive privilege. It may well be nullifying over the historic link to Nixon's downfall. Besides, Mr Clinton claimed, initially at least, that he wanted to co-operate with Mr Starr's inquiries.

The summoning of Mr Blumenthal has pushed executive privilege to another level

of whether his right to free speech under the First Amendment of the US Constitution is being infringed. Mr Starr has argued that the First Amendment is concerned with truth, but its wording makes no distinction between truth and falsehood.

Mr Blumenthal told *The New York Times* that Mr Starr's grand jury prosecutors asked him about advice he had given Mr Clinton and Hillary Clinton on how to respond to accusations that Mr Clinton had a sexual affair with Ms Lewinsky. He was also asked if he had any discussions about Mr Starr or his staff with the President and First Lady. In both instances, Mr Blumenthal said he declined to answer on the grounds that such internal discussions were covered by executive privilege.

## Suicide watch on novelist after siege

BY JAMES BONE IN NEW YORK

THE triumphant comeback of a promising American novelist, considered by some critics to be a Nobel prize contender, has ended in tragedy with the police storming her house and her husband killing himself.

Gayl Jones, 48, who had held a knife to her own throat during the police siege, survived unscathed and yesterday was on suicide watch at a

local hospital. Mrs Jones's first novel in 22 years, *The Healing*, was hailed as a literary event when it was published last month. The dustjacket carried high praise from such literary figures as James Baldwin, Maya Angelou and John Updike for her earlier books, *Corregidora* (1975) and *Eva's Man* (1976).

A glowing full-page review in *Newsweek* magazine, however, revealed that her husband, Bob Jones, had changed

his name from Bob Higgins and was wanted on a 14-year-old arrest warrant after brandishing a shotgun at a homosexual-rights rally at the university where she used to teach in Michigan.

Mr Jones had recently started harassing police and public officials in the couple's home town of Lexington, Kentucky, claiming that his mother-in-law had been kidnapped and murdered by racist doctors at the local hospital where

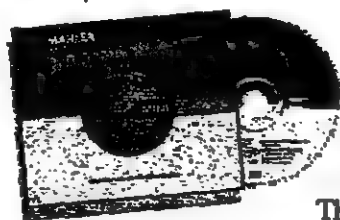
she died of cancer. Armed with the outstanding arrest warrant, officers went to the couple's home to take him into custody. When he turned on the gas in an apparent suicide attempt, a SWAT team stormed the house. Mr Jones slashed his throat with a knife and died later that night.

Mrs Jones's odyssey has stunned the literary world. When *Corregidora* was published in her mid-20s, she was hailed as a literary prodigy.

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**WARNER** *The Ride of the Valkyries* (Apocalypse Now), Parsifal, Transformation Music from Act 1, Lohengrin, Prelude to Act 1.1, Die Meistersinger (Overture)  
**BACHMANNOV** Piano Concerto No 3 1st mvt (Shine), Prelude in C sharp minor **MAHLER** Symphony No 5 (Death in Venice), Symphony No 7 in E minor, Symphony No 1 in D (1893 version) **HANDEL** The Arrival of the Queen of Sheba (Four Weddings and a Funeral), Ombra mai fu, Air, Hymn, I know that my redeemer liveth, Hallelujah Chorus **MOZART** The Magic Flute (Out of Africa), Ave verum corpus, Horn Concerto No 4 in E flat  
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CHANGING TIMES

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# How I fought against anorexia and bulimia

At four Marya Hornbacher thought she was fat. By 18, she weighed 52lb and was given a week to live. Interview by Jean Rafferty

Marya Hornbacher is tiny, a fierce little presence who, surprisingly, is not fragile or wispy or waiflike as you might expect from a recovering anorexic. Her hair is tied back into a severe bun and she is wearing geek-chic spectacles, the kind that make you look intellectual. She is an intellectual, who at the age of 23 has written in *Wasted* a scorching account of what it feels like to be anorexic and bulimic.

She says something that women do not say in our society. She says she wants to gain 25lb in weight, maybe even 30. She thinks then she would look alive and energetic. Right now, she does not know how much she weighs. Her doctors think that information would not help her. For Marya, her body is a danger zone which she inhabits with a mixture of trepidation and vigilance. At the age of four she returned home from a baller class, looked in the mirror and decided she was fat. At five she started holding her breath to keep her stomach concave. By nine she was bulimic, throwing up after school. At 12 she was anorexic. She has been in

hospital seven times and was once within a week of dying. She was then 18, weighed 52lb and her body had finally had enough.

Yet she lived. The reasons are simple, she explains. "Being ill gets boring after a while and I got really annoyed when I was told I was going to die. I thought 'well then, I won't'. Also, it struck me that it was entirely unoriginal to be starving to death. I was curious: if I could get that sick, I could get unwell. So I did."

Now she sees the doctor every week and has to monitor her health, both mental and physical, in order to survive. "I'm alive, which is really strange. I shouldn't be by all the medical evidence. So, given that I won't live to be 80, I can at least control whether it's 20 or 50," she says.

The medical consequences of her condition are devastating. Marya's heart is three quarters of the normal size. She has muscle erosion, a heart murmur and an ulcerated oesophagus which should be healing but isn't and gives her voice a Katherine Hepburn-ish rasp. She no longer has periods and often the mere thought of sex brings on headaches and stomach cramps, even though she loves

her husband very much. She will be unable to have children. "I regret the physical ramifications enormously," she admits. "You just don't think about it. You think 'everyone else will be damaged, not me'. After the first time in hospital, I knew the potential medical consequences but I kept doing it. Every last one came true — except that I'm not dead."

Meeting Marya is a strange experience. It requires carefully unrevealing clothes and a determination not to stare at her figure. All women have an observer inside their heads, saying first of all "how do I look?" and then "how does she look?" That observer, you would think, is at its most acerbic inside an anorexic's head. But Marya says not. "I don't look at people with that critical eye. Mostly I look at their faces, anyway."

Healthy women look beautiful whether they're classically beautiful or not. I get furious with people who think that overweight people are weak. I know too much about the culture to think that.

Her book is an excoriating condemnation of our culture and the pressures it puts on women: to be clever and thin; and nice and thin; and mother and thin; and thin and thin and thin. We associate thinness with wealth and success; fat is for the poor or the stupid.

"You're doing what the culture tells you to," says Marya. "You have disgustingly hollow cheeks — and there's a little infantile voice inside your head saying: 'You want to see thin? Thin is not magazine models who've been digitally altered. It's scars on my knuckles, scars on my throat. Blood on the bathroom floor. Ribs that poke through my skin.' It's all of these things. So



Author Marya Hornbacher: the legacy of years of eating disorders has been a raft of medical problems and continuing unease with her body

why are we glorifying people who look as if they're dead? What's next? Are they going to model clothes on corpses or skeletons?

"We're always talking about diet and weight and body and shape and size. We talk about nothing interesting. We say we do it to look good, but I don't buy that. We do it to feel whole, because we might fill up the emptiness."

In her case there was not just emptiness but fear — fear that she would not be good enough, fear of failure. Her parents were theatricals, her father a director, her mother an actress. Both, in their own ways, put pressure on Marya to be "great". Both had come from critical, demanding families who thought they were better than everyone around them. Her father, emotional, needy and insecure, reacted by praising Marya to the skies. Her mother was cold and self-

sufficient, mortified that her daughter was failing in some of her school subjects, her shame totally unappeased by the fact that Marya was brilliant in others.

"She was constantly trying to say 'really, you're not that big a deal'. She didn't want me to get hurt, but she was a little bit threatened. I don't think she'd ever met anyone as smart as her. It troubled her. Even now... we had a very difficult discussion one day, where I said to her 'the only time you ever believed I was as good as you was when I weighed 52lb'. Her mother hung up."

The reproach highlights one of the many paradoxes of anorexia. In our society it is almost a competitive sport. As a survival mode it is clearly insane and therefore undesirable, but it requires such effort of will that many women, constantly backsliding on

their calorie-counting, admire it. A frighteningly large number of us are simply failed anorexics, lacking the drive and willpower to sustain the effort. Marya has drive — ferocious drive that is an asset as a writer but has messed up much of her life. "With anorexia you're doing it so well, you'll die of it," she says.

At 12 she wanted to go to college and was furious that her parents would not let her move into her own flat. Her hyperactivity is partly chemical (her condition has been diagnosed as manic) but mostly "it's just the way you're cooked," she says, with one of the many unconscious references to food that scatter her conversation.

In person she is cool and controlled, in anonymous blue jeans and simple white shirt. Only her constantly jiggling

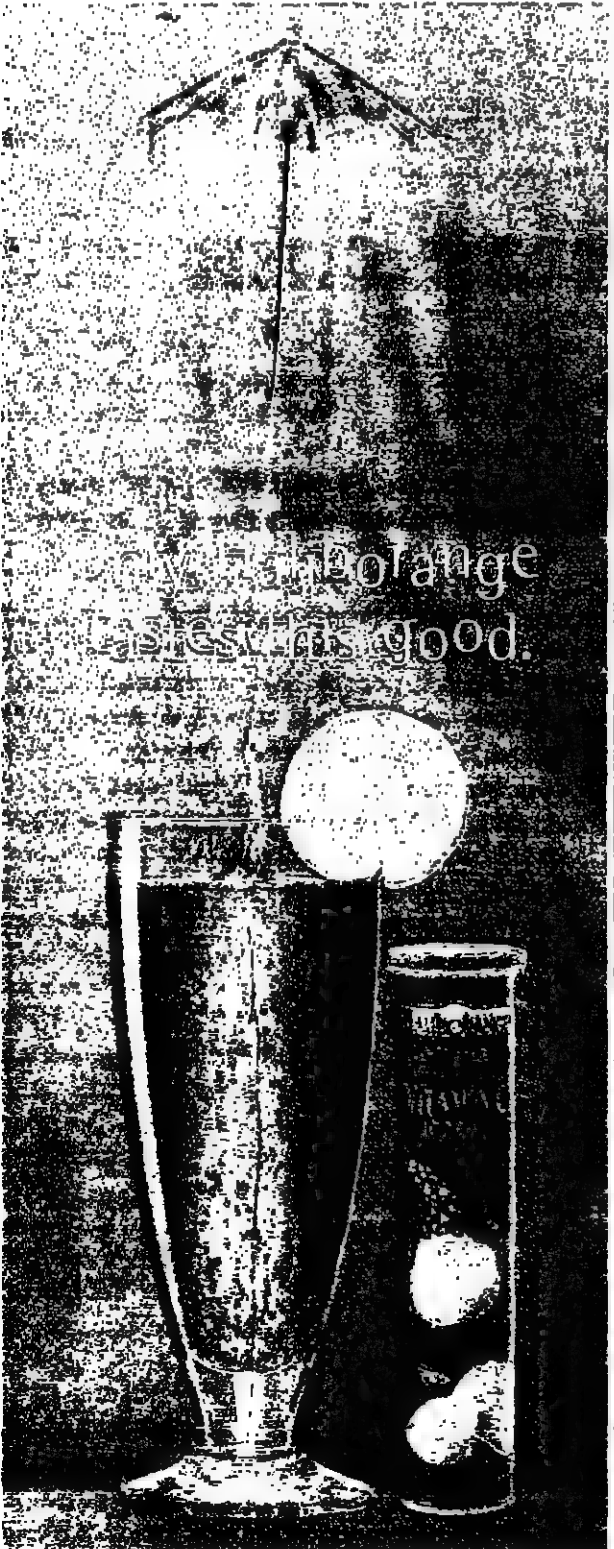
foot betrays her nervous energy. She has an addictive, adrenalin-fuelled personality. When she smokes, she's a three-pack-a-day girl; when she went on an exercise kick, she worked out for three, five, eight hours a day. "I'll be between radio interviews for this book on eating disorders and I'll pop into the bathroom, drop my trousers and look in the mirror at my butt," she sighs. "Then I'll be back on air again in New York."

She is now happily married to Julian, whom she has known since they were both 16. They have a tight circle of friends who come round once a week for political and literary discussion and that most elemental of foods, soup. And yet there is the constant battle with her disorder, the days when it just doesn't occur to her to take something out of the freezer and defrost it for the evening meal. On those

days, Julian has to cook. Marya must be the only person in Minnesota whose husband bought her a mobile phone because sometimes she just can't cope with food shopping. "What do you get in a grocery store?" she shrugs. "I'll have a certain time I have to be back, then he'll call me. I'll say 'I'm in aisle six, staring at the cake mixes'. He'll say 'now it's time to come home'. I'll walk out with milk and broccoli."

People are always telling her that she looks fine, she says, though she is dangerously underweight. "And at first the observer inside your head agrees. But look closer — look as closely as she does, and you see that the cost of her disorder is written in her face: that her eyes look brilliant because they are set into a white, strained face; that her jawline is rigid with tension."

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## Relief at last for a common weakness

The 284,000 country people who marched from the Embankment to Hyde Park needed reasonably strong bladders. Despite the lack of cover during the walk — Piccadilly and Pall Mall are without any useful hedges — facilities were available only at the start and finish of the demonstration.

Those whose bladders are notoriously weak and who suffer from an unstable bladder with symptoms of urgency might have been able to enjoy their morning more if they had visited their doctor recently to inquire about a new preparation. Detrusitol, tolterodine, introduced by Pharmacia & Upjohn last week. This helps one of the many causes of incontinence, detrusor instability, the "weak bladder" which some people suffer from all their lives. Doctors can help only those who seek advice. A recent survey shows that British people are more embarrassed than those from any other country in Europe about discussing bladder function with their doctors.

One in three of the British, as opposed to one in six of the continental Europeans, felt so ashamed of their incontinence that they couldn't even talk about it in the privacy of the surgery. It is not entirely certain that, even if they had plucked up the courage to start the consultation, the GP would have been very informative.

Only 3 per cent of GPs interviewed regarded their training on the subject as completely adequate, and 14 per cent said they had no training about it at all. However, 62 per cent did say that they had gained some knowledge about incontinence during general medical training, and 34 per cent had attended postgraduate tuition about it. Just 9 per cent of family doctors have held medical posts which required a specialist knowledge of incontinence.

Incontinence is not only a problem for the over-65s and under-fives. Three million people in the United Kingdom suffer from urinary incontinence. Once incontinence has become a problem, many have to modify their daily life and outside activities. The sufferer has to undertake some forward planning before he, or more likely she, is able to contemplate staying with friends, travelling, or even marching around London.

Incontinence may also alter their relationships with their family, partners and colleagues at work, and games once much

enjoyed, like golf or tennis, can become a trial. The bladder is not an inanimate, balloon-like reservoir which empties when full. Its controlling mechanism is highly complex. The wall of the bladder is muscular with three different layers of muscle fibres which are known to the anatomist and surgeon as the detrusor muscle.

Once the bladder is about half full, messages are sent to the brain that the person had better start to prepare for urination. The reflex may be kept under control for a time until a suitable opportunity to empty the bladder is found.

During urination the bladder muscle (the detrusor muscle) contracts and the sphincter muscles at the neck of the bladder, and the pelvic floor, relax. Patients who have an unstable bladder have an oversensitive reflex which is triggered too soon, too readily and sometimes inappropriately.

The result is urgency — a need always to rush, frequency — found in the person who finds it hard to sit through a film, and urge incontinence — a leak while the bladder is still filling. The new preparation Detrusitol blunts the sensitivity of the reflex.

There are other causes of incontinence as well as detrusor instability. The patient may have stress incontinence as a result of muscular weakness or damage whereby exercise, coughing or other straining exercises cause a leak; or overflow incontinence in which the bladder is always full and therefore repeatedly slopes over like an overflowing water butt.

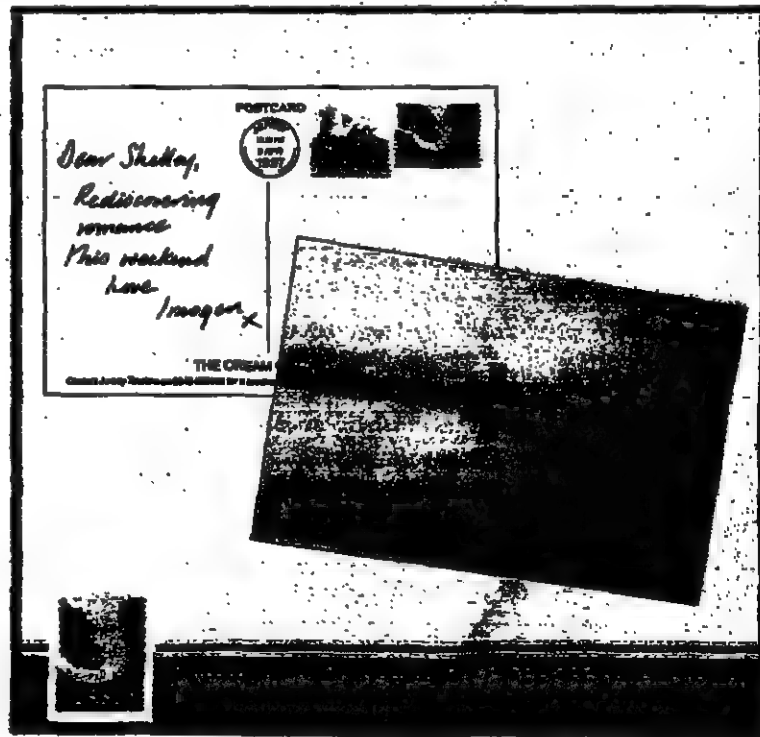
Patients may suffer from more than one type of incontinence, and its causes may lie in the bladder, urethra, pelvic floor, brain, spinal cord or bowel and anus. Sorting out the nature of the incontinence is the first stage of treatment.

Detrusitol is not a suitable drug for elderly men who are incontinent as a result of outlet obstruction because of an enlarged prostate, but it is more effective, and has fewer side-effects, than existing preparations for the treatment of bladder instability.

Even so, Detrusitol may cause a dry mouth, indigestion (particularly in those with a high hiatus hernia), some blurring of vision and drowsiness. Detrusitol doesn't mix with all antibiotics and fungicides.

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## Kissing one of life's little pleasures goodbye

Every traveller's right to a tender send-off on the platform is under threat. Jane Shilling reports

I was a lover and his lass, with a hey, and a ho, and a hey nonny... "No, sorry missus. Yes, it's you I'm talking to. You can't do that here, I'm afraid. It's against the bylaws. Can't you see the sign? No kissing on the station, except within designated areas where it does not constitute an obstruction to other members of the public. Now, then, I'll have to ask you to move along, please."

Well, really. You don't have to have lipsynched your way through 365 showings of *Brief Encounter* to understand that nowhere in the world is as romantic as a station platform with the train about to depart. The Fort Neuf, the Spanish Steps, the Taj Mahal — you can keep the lot of them. The thing about railway stations is that however nasty and banal they may look, they are lent an unearthly glamour by the fact that what you do at them is part. Say goodbye. Suffer that little death that takes him off to his management position at B&Q

homecare, and you to the issuing desk of the local children's library, perhaps never to meet again.

I mean, anything might happen. He might be spashed by an item of patio furniture. You might contract fatal septicaemia from a bolshy toddler. So what do you do on the platform? You give him a great big kiss, that's what. And off he goes, enveloped in that lovely golden glow that only parting can lend, until you meet again... (at 7.45, on account of the 6.40 having been delayed by an untoward incident in the signalling box). Would you let him go unmissed? You would not. It would be, as Mrs Trevorton of Warrington remarked, while kissing farewell to her husband, Warrant Officer John Trevorton, as he set off for Plymouth, "a pretty miserable send-off."

But then, if the Warrington Chamber of Commerce has its way, WO Trevorton must brace himself against a future of miserable send-offs. For the Gradgrinds



Public kissing tells — is intended to tell — a story, such as these soldiers bidding loved ones farewell in 1935

of the Warrington Chamber of Commerce do not care for kissing, unproductive activity that it is, taking place on the town's Bank Quay station. They feel it leads to congestion. "Nobody wants to

curtail amour," said the chief executive, Colin Daniels, "but the world has to keep moving."

A delegation of chamber representatives set off (unmissed, we must presume) on a visit to

Chicago, a city where kissing is not just frowned upon, but has been stamped out by the introduction of regulations and prohibitive signs. These signs (they show a bloke who has not thought to

remove his hat before attempting to plant one on his lady friend; she, in turn, appears to have rollers in — frankly, you wouldn't want to kiss either of them) took the fancy of the Warrington Chamber of Commerce. So much so that, if Virgin Trains agrees, the chamber will soon be making its discouraging presence felt all over Bank Quay station.

Oh! Shame! Yet another infringement of our civil liberties is threatened. No rib of beef, no hunting — and now no kissing. I feel a march coming on... Except that, well, when was the last time you saw a couple kissing in public and felt the urge to go "Aaaaah" rather than, say, fling a bucket of water over them?

The kiss, that beautiful, graceful token of tenderness, passion and esteem, that inspiration to artists throughout the ages, is actually a tricky act to perform successfully in public. To bring it off you need to be not merely as beautiful as Celia Johnson and Trevor Howard, but as chaste. Dry pecks somehow speak more eloquently (at least to the spectators) than copious exchanges of body fluids. From a public point of view it helps, too, if at least one of you is

in uniform — preferably on the way to, or just returning from, some frightful scene of conflict. This is because public kissing tells — is intended to tell — a story. The lovely young couple embracing wordlessly, then parting without a backward glance: the 80-year-olds who cling together, reluctant to let go; that plump, plain woman whose handsome husband gazes anxiously into her face; as though he might never see her again... Mr Daniels of the Warrington Chamber of Commerce will frighten them all away with his little signs. And with them, that more commonly seen example of the public kiss — the spotty teenagers with nowhere else to go, sucking and fumbling at each other like a brace of mating sea slugs. The sound-effects are revolting; the end of the story not in doubt. The increase in decorum to be gained by their absence is probably not a matter for regret.

Still, if Mr Daniels has his way, it will alter for ever the spirit of Bank Quay station. No longer the scene of a thousand daily human dramas, it will become a mere transit point. Uncongested, and no doubt magnificent in terms of moral hygiene. But lacking, somehow, the true romance of *la gare*.

## Happiness is the perfect revenge

Midea reacted by murdering her children. Clytemnestra butchered her husband and his mistress in the bath. But last Saturday, Della Bovey achieved a far better result with a pair of Manolo Blahniks, thus solving the wronged woman's eternal dilemma — how to take revenge without losing one's dignity, or worse, in the process.

For those not in the know, Mrs Bovey's husband, and father of her three children, left her for Anthea Turner earlier this year. There are several aggravating circumstances, not least of which is that Della Bovey counted Anthea Turner as a friend. Ms Turner is also more successful, and her media profile ensured that the whole country shared in Mrs Bovey's humiliation.

It is customary in such cases for the wronged wife to give a tabloid interview, which, at some point, descends into insults and vituperation, much of it levelled at The Other Woman. The most famous example was furnished by Vivien Merchant, when Harold Pinter left her for Lady Antonia Fraser. "He didn't need to take a change of shoes," she told a journalist. "He can always wear Antonia's. She has very big feet." It was a brilliant put-down, but it was intended to be cathartic, it paled — Vivien drank herself to death at the age of 53.

Mrs Bovey eschewed this course. She gave one bright little interview to *Hell*, of the "I grew strong" variety, then kept quiet. Thus Mr Bovey and Ms Turner were lulled into a false sense of security, believing that the proverbial pet rabbit (of *Fatal Attraction*

A jilted wife finds a new way to get even — and keep her dignity. Grace Bradberry reports



Grant Bovey and Anthea Turner: false sense of security

same) was safe. And, indeed, it was. Della Bovey's revenge was not of the petty, deranged variety, the sort that makes an erring husband whistle with relief. All she did was to show up at the same party as the happy couple, and take to the dance floor in a scarlet Dolce & Gabbana dress and Blahnik silences. She danced into the early hours, they left, and there can have been few more unsettling sights for Mr Bovey than that of his estranged wife glowing with apparent happiness. Just like the marriage breakdown, it was not a private humiliation. The great thing about a showbiz bash — this one was to celebrate Michael Flatley's *Lord of the Dance* breaking box-office records at Wembley Arena — is that the paparazzi are always on hand.

Mrs Bovey has not wal-

lowed in her triumph, by giving interviews. Instead, her friend Kerry Ross, wife of the television presenter Paul Ross, another cheating husband but one who stayed with his wife, has given us enough detail to illuminate the dark areas.

All of Mrs Ross's remarks enhance her friend's self-respect. Crucially, she insists that the two of them planned their Saturday night out before realising that Mr Bovey and Ms Turner would be present — an important point lest Mrs Bovey be mistaken for one of those women who enjoys singing along to Gloria Gaynor after a couple of bottles of Chardonnay.

Mrs Ross does admit to there being some forethought. Mrs Bovey's self-esteem will, after all, be greatly increased by the world knowing that she played some part in the rout. "We found out that afternoon, and yes we realised it might be an ordeal," says Mrs Ross. "But Della was in the better position because she knew they were going to be there. Preparation makes a big difference. To be surprised would be awful," she adds.

"The media attention has been quite difficult for Della," she says. "It's tempting, especially when people are throwing money at you, to talk to the press. It's been harder for Della to walk away and say 'I'm not going to do that'. She's decided that the most dignified

way was not to go in with all guns blazing."

She was, of course, right. The more outrageous the revenge of the woman scorned, the more ridiculous it seems in retrospect. Lady Sarah Graham-Moore no doubt had a lot of fun distributing the contents of her husband's wine cellar on neighbouring doorsteps and slicing up his clothes, but in the long term, can it really have enhanced her self-esteem? The point about such a gesture is that it is definitely "one for the girls", and is guaranteed to inspire contempt in men.

The clever thing about Mrs Bovey's little triumph is that it was also one for the boys. In pubs around the country to-night, men will debate whether Grant Bovey hasn't made a terrible mistake.

But will this help Della Bovey? Will she one day come to rue those photographs in some degree, and discover that revenge, no matter how subtle, can never be sweet?

Professor Petruska Clarkson, a consultant psychologist and author, suggests that the word "revenge" is often misused. "Some people think it's revenge to pull a face at someone. Then there are the childish acts, such as cutting the sleeves off all their clothes. At the other extreme are people who commit suicide on the marital bed of the person who has committed adultery."

"I'm probably slightly on the side of whoever said that the best revenge is a happy life. That means withdrawing your anger from the person who has hurt you, and putting your energy into all the positive things in your life."

The Rev Dr Geoffrey Scobie, a social psychologist at Glasgow University who is also ordained in the Anglican church, believes revenge and the desire for it, has a negative effect in the long term. "If you've been hurt by somebody, then you're controlled by that event," he says. "If you go into revenge mode, you're still at the mercy of that event."

"You have to be able to live without reference to such things," says Dr Scobie, referring to adultery and marital break-ups. "But if you can do that after one or two dressing-up episodes, you're OK."



Della Bovey showed up at the same party as the happy couple and took to the dance floor in a scarlet dress and stilettos

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# The euro: how they got away with it

Yesterday Europe got its single currency, says Anatole Kaletsky

**Y**ou may not have noticed, but the European single currency, which was due to be launched on January 1, 1999, has been brought forward. To all intents and purposes, the economic and monetary union foisted on a reluctant Helmut Kohl at Maastricht by François Mitterrand, opened for business yesterday morning.

The mark, franc and lira have been abolished and from this week there are only three significant currencies left in Europe — the euro, the pound and the Swiss franc. The legal paperwork will, of course, take another ten months to finish. But, in financial market parlance, the merger between France, Germany, Italy and most of the other economies of continental Europe went "unconditional" last Friday.

What happened then was the publication of statistics showing that 11 of the 15 European Union governments had satisfied the convergence criteria for EMU laid out in the Treaty of Maastricht. These governments now have no option but to go ahead and transform their currencies into mere denominations of the euro. From January 1, 1999, the mark, franc and lira will be, in law, as closely related to one another as were the British florin, guinea and half-crown. The euro can no longer be thwarted by elections, courts or speculators. It is a fait accompli.

For Germany or any other country to try to stop the euro, or to exclude another country now that it has achieved statistical convergence, would involve an abrogation of solemn treaty undertakings, an act of international sabotage almost tantamount to the declaration of war.

Italy, despite its towering government debt, now pays only 0.34 per cent more than Germany for its ten-year bonds. This tiny differential is narrower than the spread between what different state governments have to pay in the United States. The fact that the markets now take a single currency so readily for granted — that, to all intents and purposes, the financial world is behaving already as if the mark, franc and lira had been merged — implies an unthinkable level of damage if EMU were somehow delayed or if any of the 11 candidate countries were left out.

The early arrival of a single currency with all 11 serious EU contenders prompts numerous questions. I will touch on just one. How could the EMU-sceptics (myself included) have been so wrong? The answer has two parts.

First, the goalposts were shifted to ensure that everyone could score. This process began with the French Government's decision to rewrite the accounting rules of the France Telecom pension fund and treat this as an enormous reduction in the public deficit. Once this dodge had been approved by the European authorities, the floodgates were opened. Other governments had no trouble inventing similar gimmicks to make

their figures fit. In Italy's case the effect was more subtle. The Government was ready to make a serious effort to reduce its public deficit, but only if it could be sure of reaching the EMU promised land. Without creative accounting, this would have been impossible. But once France had broken the taboo on creative accounting, it became clear that Italy did have a genuine chance of hitting the targets by supplementing a tolerable amount of genuine belt-tightening with some French-style accountancy dodges.

None of these dodges would, however, have succeeded without the second, and bigger surprise. This was the strong support of the German Government and the Bundesbank, not only for France but also for Italy to become a founder-member of EMU. German support was critical because both France and Italy could have been blown off course at any time by a serious speculative attack. The new French Government of Lionel Jospin explicitly stated that it was no longer prepared to fight speculation against monetary union with higher interest rates. Italy was even more vulnerable, because its hopes of hitting the Maastricht criteria depended on the achievement of dramatic and continuous reductions in interest rates. But these rate reductions depended, in turn, on the chances of Italy joining EMU. As confidence grew in Italy's EMU chances, it began to enjoy a virtuous circle of lower interest rates and still lower deficits. Yet if the German Government or the Bundesbank had at any point cast a serious aspersions on Italy's membership chances, the virtuous circle would immediately have gone into reverse. The lira would have come under attack, Italian interest rates would have had to be raised and the country's chances of joining the single currency would quickly have disappeared.

To try to  
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to war

This raises another fascinating question. Why did the Germans, who had been widely thought to favour a "narrow" euro, prove so obliging to Italy (as well as to Spain and Portugal)? Perhaps German industrialists were so worried about competing with Italy and Spain that they were prepared to abandon their dreams of building the euro around a German-dominated "core" of northern European states. Perhaps it was genuine altruism. Or perhaps it was just another instance of incompetent German diplomacy which began when Herr Kohl allowed President Mitterrand to run rings around him at Maastricht, in exchange for French "agreement" to German reunification.

Whatever the explanation, the euro is now effectively the currency of Europe. Italy and Spain are members. And the Bundesbank, for decades the symbol of Germany's monetary domination of Europe, is now even more of a lame duck than Helmut Kohl.



## Murdoch on the bone

Freedom of speech is not the issue in the row between Patten and his publishers

**O**ut here in the cold, bleak, bitter countryside, chewing over the weekend's newspapers by a dead stove, I have come to my conclusion about the great story of the day. Despite naysayers' attempts to protect me, and doomsday warnings of what it might do to my brain, I have concluded that all things considered, I prefer Rupert Murdoch on the bone.

You can keep your pallid, sanctimonious, filleted, minced-up vegetable consensus. At least with the garney, full-flavoured gristly T-bone version of a media tycoon you can make up your own mind which bits to spit out. I have followed every word of the dispute over HarperCollins's decision to drop Chris Patten's book, and still my personal thermometer of outrage refuses to budge beyond blood heat.

But then, I never was under the misapprehension that The News Corporation, which is the parent company of The Times, was owned by a philanthropic committee chaired by St Francis of Assisi. You do not have to be Sherlock Holmes to work out that Mr Murdoch is a businessman who owns lots of things and expects them to make money. It is not a closely guarded secret that he has business in China, a country controlled by a powerful one-party state which can block businesses that offend it. Nor is it news that Mr Murdoch thinks very long of the former Governor of Hong Kong, Mr Patten.

The only mild surprise is that his employees at HarperCollins bought Patten's book in the first place, this suggests that in Britain, at least, the company felt unimpeded by its owner's known views. Perhaps they were lulled into optimism by the undeniable fact that HarperCollins has already published books condemning Chinese communism, like Jung Chang's *Wild Swans*. Certainly Mr Patten says that he expected no difficulty when he took Mr Murdoch's money.

However, at some level — we are not incontestably sure which level, and the horror of big corporations is that middlemen often think more like the boss than the boss does himself — the publisher decided that Mr Patten's views on China were too strong, and dropped him. In doing this the management of HarperCollins (presumably not a very happy ship anyway) made graceless mistakes and wrote the kind of noxious which

always get leaked. Mr Patten's editor resigned with a flourish, and newspapers which have Mr Murdoch leapt with glee on the story and ran it as though it were enormously important. They predicted that floods of top authors would flee the publishing house in disgust and that HarperCollins would be "brought to its knees" within weeks.

Just one author, Simon Heffer — has actually left so far. Comically, he was suddenly hailed as "highly respected" and his book on Enoch Powell called "long-awaited", even by newspapers who normally think Mr Patten is a right-wing devil and the fewer books about the late Enoch, the better. Meanwhile, this newspaper — property of News Corp — covered the story late and unenthusiastically. I don't know why, any more than you do (I live in Suffolk, nobody tells me anything). The Times's media editor, Raymond Snoddy, not a habitual liar, apologised on the radio for what he called a cock-up rather than a conspiracy.

A bad week for free speech, then? Hardly. There was never any question of Chris Patten being silenced, or even losing money. The book went to another publisher amid publicity to kill for. It is assured of fabulous reviews, because all the papers which hate Mr Murdoch will gush over it, and those he owns will fall over themselves not to be rude about it. Frankly, he could now publish the Shanghai telephone directory upside down and still get plaudits.

As for Mr Patten's views on China, and his record on human rights, these have now joyfully been given far wider coverage than they usually get in the Western media. And Mr Murdoch himself — whether he pulled the trigger personally or not — is shot in the foot. Or would have been, if he had any reason to believe that he gives a damn what British chambers think of him.

All in all, not a bad outbreak of free speech all round. If you want something to worry about in that line,

try rather the Army's determination to sack Major Eric Joyce for his gaudy attacks on its class system. Just as the Pongo tendency seemed to be covering themselves with credit for artfully putting up with this maverick and his cheeky magazine, they flew into a rage and threw him out of home and job. He can't run to another army, can he? But since Rupert Murdoch didn't do it, the coverage is muted.

But to return to the Demon King himself, and other media proprietors. It seems to me that as long as there is more than one of them they do not matter over-much.

Mr Patten's book is dropped by one company and others scramble to publish it: a paper is slow on a story that affects its proprietor, and a horde of others do that story with redoubled glee. I do not know

anybody serious who relies entirely on one media outlet for their information, except perhaps a few very elderly Telegraph readers too deaf to bother with the radio. And the very rivalry between media means that consumers are increasingly sophisticated about the filters through which events are brought to them.

If The Mirror's front page is devoted to the fact that inside the newspaper is an interview with Trevor Rees-Jones, even the least reflective of its readers does not conclude that this is the key news of the day; just that The Mirror wants to sell more copies. If a Mail group newspaper has large pictures of Rothermeres sharing a joke, nobody thinks that this is because they are the most interesting people the Editor can think of. Observer readers in the time of Tiny Rowland learnt not to expect much criticism of certain African regimes (or not without the dickens of a public row). BBC audiences have given up expecting the corporation's redundancies to be analysed in its bulletins (another swath of jobs lost in radio production were announced last week). In the 1960s Lord Beaverbrook, a foe of episcopalianism, greeted the aban-

donment of talks on this subject by dictating across the Atlantic the Scottish Daily Express headline: "Jehovah has triumphed — the people are set free!"

It stretches from such subtleties to the faintly ridiculous. Note that Conrad Black, owner of the Telegraph group, once made it publicly clear that he disapproves of long skirts and likes legs. Since then there have been more and longer legs in The Daily Telegraph than anywhere else. Yesterday, page 16 bore six full inches of the Lemper's amazing plan, an article on how to improve your own, and a poem about a garden designer in "high suede boots and a buttermilk minkie".

I am not saying that every media employee wakes up daily and thinks "How can I please the big boss today?", but certain cultures do tend to prevail. Oddly enough, this particular newspaper has fewer such ties than most, the main evidence of proprietorial influence being its price cuts. On the page, frankly, the rule seems to be that you write what you think in a way that interests or provokes readers, and the management leaves it alone unless you have libelled somebody or inadvertently ascribed a line of Browning to Lord Rosebery. And when colleagues at media parties (usually in pensionable jobs on The Guardian) sanctimoniously say now "and" it is that you are "working for Wapping"; you learn to point behind them and say "Oh, wow, isn't that Charlie Blair?" and make a run for it in the general stampede.

The cold fact is that the vast majority of media are run for profit, and owned and ultimately managed by people more interested in profit than in content. Murdochs and Rothermeres and Northcliffes and Blacks and Maxwells and Montgomerys and Hollicks make the money, administer the empires, take the losses, rarely get a kind word from anyone, and earn the right to an occasional tantrum. It is up to elected governments to put limits on their power by making sure they are various enough, and keeping their companies within acceptable bounds of decency, privacy, and truthfulness.

It is up to readers to decide what to read. It is up to human rights campaigners to make a racket, if we leave things out. It is up to journalists to flourish out if necessary. That's it, really.

## A German Blair to oust Kohl?

Roger Boyes on the man who would be Chancellor

**T**here are those who accuse Gerhard Schröder of surfing the Zeitgeist, skimming the side of German popular opinion which is turning not only against Helmut Kohl, the Chancellor, but also European Christian Democracy. Certainly there is something of the chancer about Herr Schröder, the Social Democrat who, as a result of a thumping victory in regional elections on Sunday, is now seen as the man most likely to topple Herr Kohl in September.

He takes up cause from Euroscepticism to illegal immigration — and promptly drops them if the polls turn sour. It is precisely this quality, or lack of it, that is most feared by the Chancellor. Herr Schröder is a moving target.

He is not, of course, Gerhard Blair, despite some superficial similarities to the Prime Minister. But the strategist who crafted his reelection campaign in Lower Saxony — where he remains state Premier until such time as he deposes Herr Kohl — has distilled the Blair Method. Like Mr Blair, Herr Schröder faces the task of ousting a conservative administration that has grown arid in office. Herr Kohl has led Germany since 1982 and is the longest-serving European statesman.

The German strategists concluded that the Blair Method had at least five exportable features. First, it found a way of mobilising traditional voters while poaching from the Centre. Workers were as concerned as the middle class about violent crime, poor schooling, juvenile delinquency and youth unemployment yet, under Herr Kohl, these policies had come to be regarded as the preserve of the Christian Democrats. Herr Schröder tried to reverse the trend and courted the business community.

The Blair cookbook has been used to develop a style of politics that is supposed to address the fears of unemployment, impoverishment and of Germany being left behind. Herr Schröder learnt from Mr Blair how to make policy subordinate to personality, while ensuring he did not appear charismatic. Germans have been schooled for 50 years to distrust charisma in their leaders.

The media has been used to create a consensus for change. Herr Schröder has played along, dying his hair to disguise the fact that at 53 he is not exactly a young buck. There are other lessons from Labour: Herr Schröder has learnt to build temporary coalitions with the party (particularly in North Rhine-Westphalia) and across the electorate. Above all, he has grasped the need for fashioning change by dressing up policy in familiar, almost Kohlian terms.

While all this may seem familiar, even reassuring to British observers, we should not imagine that Germany under a Chancellor Schröder is about to play follow my leader. There is a European shift away from Christian Democracy to the Centre Left but Mr Blair is its beneficiary, not its cause. The differences between the British Labour Party and German Social Democracy are of the most fundamental kind. Both were a reaction to rapid industrialisation, but Germany's take-off came 50 years later and its Social Democrats were coloured deep red by Marxism. Even when the party embraced the market in the 1950s, it remained a "cradle to grave organisation": it was relatively easy for Mr Blair to make Labour electable. Winning elections, however, is only a marginal concern for many German social democrats.

**H**err Schröder's function as an election-winner is thus rather different, a diversion from the real task of organising work and workers to protect their rights from bosses. Many SPDs would rather have a week's extra guaranteed holiday than a year in government. Herr Schröder is beholden to this party; it will be his ball and chain. He needs his chairman, Oskar Lafontaine, to deliver unity. The latter will be Germany's secret ruler if Herr Schröder becomes Chancellor. Herr Lafontaine's influence would be similar to that of Willy Brandt as party chairman during Helmut Schmidt's chancellorship.

It is here that the parallels with Mr Blair break down. Moreover, a Chancellor politically handicapped in this way could spell trouble for Britain. Even if Herr Schröder makes the Social Democrats the largest party, it will be Herr Lafontaine who steers the subsequent coalition negotiations. If, as seems likely, he moves towards an alliance with the Greens, alarm bells should ring throughout Europe. Such a government would be backward-looking, weighed down by politically correct but unfeasible goals: for example, the idea that ever higher environmental standards will in some way create jobs (More dustmen? The Eurofighter, signed and sealed, will be up for negotiation again. So will any other arms co-operation with Britain and France. The Red-Green vision of Europe and the euro is even more hidebound than that of Herr Kohl).

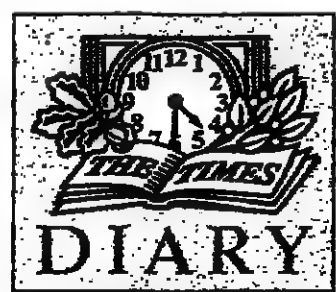
There is a change, it is worthy of a change, but it has to be a change. What kind of change? In which direction? A weakly governed Germany is as disturbing a prospect as the strongly assertive power of Herr Kohl's heyday.

## Poetic Waugh

**AUBERON WAUGH**, the *éminence grise* of literary London, has launched an extraordinary attack on Ted Hughes, the Poet Laureate. Waugh, who in the flesh is charm itself, describes Hughes in his *Literary Review* as a "rotten poet" and his work as "pretentious drivel". The vicious critique, appearing in *From the Pulpit*, Waugh's anonymous column, comes after the hullabaloo in January stirred up by the publication of *Birthday Letters*, the poet's revelatory verse narrative about his life with Sylvia Plath. Waugh (pictured left) dismisses "the excitement generated over *Birthday Letters*". He also announces that his magazine will not be reviewing Hughes's *Tales from Ovid*, his reworking of the epic which won this year's Whitbread Book Award.

"We decided to ignore it," spits Bron. "Ovid was a master of metaphorical form. Hughes, to put it mildly, is not. Where Ovid skipped and played in his own beautiful landscape, Hughes stumbles around in the mud... It is not his fault he is a rotten poet, and much of the blame must surely attach to the insecure, fashion-conscious literary establishment which encourages him to write such pretentious drivel."

Andrew Motion, who hailed *Letters* as a "thunderbolt from the blue", described Waugh's words as childish. "The Review has a very strict line on poetry, and poor old Ted would never score very highly



little water with Gary Mills, the coach who has taken the team to the dizzy heights of the Dr Martens Midland League. Thatcher has taken the stab in the back with all the grace she showed in 1990.

### Hart bypass

THE bonds between Tony Blair and his Lord Chancellor become ever more close. Garry Hart, who takes up his job as special adviser to Lord Irvine of Lairg on Thursday, is, I can disclose, godfather to Katherine Blair, the PM's nine-year-old daughter.

While I have no doubt the godfatherly position ensures that the youngster receives excellent presents twice a year, it will greatly add to the annoyance of Martha Osamor and Jane Croker. Respectively a Labour Party activist and solicitor, who both applied unsuccessfully for the job as Irvine's adviser, they have each launched claims for alleged discrimination against the Lord Chancellor.

Osamor and Croker claim the good lord relied on the "old boys network" in appointing Hart. But Irvine's new courtier was shocked that anyone should suggest such a thing: "I don't think Katherine had any hand in my appointment."

**LISA JARDINE**, the exuberant author and media don, asserted last Sunday that the English novel is dying because of its obsession with "narrow subjects like adultery in Hampstead". Will Self, the iconoclastic author, responded at the Royal Society of Literature debate: "As one who has committed adultery in Hampstead and found it very pleasurable, I believe it fully deserves its place in the British tradition."

**AN APPEAL** has gone out to Lord Gowrie to help to rescue two paintings in the Lords. *The Meeting of Wellington and Blücher after Waterloo* and *The Death of Nelson* (detail above), painted by Daniel Macdonald, the Irish artist, and commissioned by Prince Albert, have hung in the Royal Gallery since the 1860s, but are fading. "It didn't help that, in the last century, they tried to clean them with bread," says Makolm Hay, the curator. I'm sure Lord Gowrie, chairman of the peers' works of art panel, will ride to the rescue.

### Royal spin

**COLIN BYRNE**, a member of the new Labour aristocracy, is thought to be one of the names being considered as a contender for the role as the Queen's spin-doctor on £150,000 a year. The Royal Director of Communications will attempt to portray The Firm as relevant, a position he is eminently



qualified to fulfil. Byrne, now a consultant with Shandwick, the PR firm, worked closely with Peter Mandelson a few years ago and later for various charities run by the Prince of Wales. A former partner was Julie Hall, Neil Kinnock's erstwhile PR chief. One problem might arise between Byrne and the Palace, however: he has been quietly providing advice for the anti-hunting lobby.

**NICKY DAVES** relied on his memory of the slang in *Starsky and Hutch* to ensure authenticity when penning *The Dead Monkey*. The play, about an ageing Californian surfer, has its premiere this week in Hampstead. Lucky then that the lead is to be filled by David Sont, the co-star of the classic *Seventies* cop series.

EDWARD WELSH





## UNRESOLUTE UN

A British diplomatic move that was destined to falter

When Kofi Annan went to Baghdad, he took with him a message whose content, after weeks of all too public disagreement, had been agreed by all five permanent members of the Security Council. It told Saddam Hussein to expect "the severest consequences" unless he complied fully and unconditionally with UN-mandated weapons inspections. Iraq signed an undertaking which satisfied the UN Secretary-General that the UNSCOM teams can resume their work unimpeded. Within days, Iraq began its predictable attempts to wriggle free, by insisting that the small print restricted the authority of the UN's team of weapons inspectors. This has been rejected in New York; but it is a pointer to what the UN inspectors can expect.

Britain and America were therefore right to insist that a piece of paper signed by Iraq could not be taken on trust. It depended on the good faith of a man who has never shown any. But the relevant test is Iraqi implementation. The logic of the British and American positions was that Saddam had been formally warned of the consequences of any future obstruction and that, as Madeleine Albright has insisted, they had "the authority, the responsibility, the means and the will" to enforce compliance. Everything had been said that needed to be said.

Instead, the British Government has pursued a course that risked plucking defeat from the jaws of this highly qualified victory. France, Russia and China agreed to threaten Saddam with the worst only because they were convinced that America and Britain would otherwise take military action. For Britain to have sought yet another UN Security Council resolution, giving an automatic green light for the use of force if Iraq misbehaved, was strangely naive. It ignored a basic diplomatic rule, which is never to ask governments to repeat commitments wrested from them only in the heat of crisis, and then with enormous difficulty.

The result, as Robin Cook should have anticipated, is a dilution, rather than a reinforcement, of the ultimatum presented

to Iraq. After a battle that reopened the rifts in the council, the US and Britain managed to fend off French, Russian and Chinese attempts to soften the threat of "severest consequences" to the weaker "very severe". But the blank cheque for military action for which Britain hoped proved unobtainable.

The US and Mr. Cook's misgivings notwithstanding, Britain, have argued that the legal basis for military action already exists, both under the self-defence Article 51 of the UN Charter and under the ceasefire resolutions that Iraq signed in 1991. Britain's latest UN diplomacy handed France, Russia and China an opportunity to assert the Security Council's right to vote before force could be used. No sooner had the British text been published than they lobbied for a "circuit breaker" clause to block automatic resort to military action. They will claim to have secured that by implication; the Security Council is to "remain seized" of the matter.

The embarrassing result is that Britain's attempt to ensure a clear-cut outcome if, or more likely when, Iraq cheats could have the opposite effect. If Saddam was gambling that the unanimity of the permanent five was a passing cloud, British diplomacy has inadvertently helped to prove him right even before the accord has been put to its first test.

The paper negotiated by Mr. Annan was vague at critical points, for example by failing to specify the "detailed procedures" to be followed when presidential sites are inspected. It also described the lifting of sanctions against Iraq as of "paramount importance" — when the paramount issue is the permanent destruction of Iraq's capacity to threaten the world with banned weapons.

Precisely because the Security Council has been so reluctant to confront Iraq, these flaws made it vital for America, and Britain, to reserve the legal right to judge Iraq by its actions and to take whatever steps proved necessary. They have purchased unanimity at a cost they may regret. To a man, as unwilling to be locked in as Saddam, an unclear Security Council resolution is the diplomatic equivalent of a lock-picking kit.

## TIME FOR A CHANGE

Hague will need new blood in his Shadow Cabinet

Those who despair of peace in the Balkans, the Middle East or Northern Ireland can take comfort from an unexpected source. The reconciliation between Michael Howard and Ann Widdecombe shows that the deepest divisions can be overcome. Mr. Howard has praised his one-time adversary for her parliamentary effectiveness. In turn, Miss Widdecombe, who famously said that there was "something of the night" about the former Home Secretary, conceded yesterday that there was something of the day as well. This mutual appreciation owes more to logic than love. William Hague will conduct a Shadow Cabinet reshuffle shortly. The departure of Sir Brian Mawhinney will ensure that there is at least one vacancy. Miss Widdecombe seems set for promotion.

Mr. Hague will also need to consider a much wider reconstruction of his team. When he became leader he retained almost all of the surviving members of the last Cabinet and asked Sir Norman Fowler and Lord Parkinson to re-emerge from retirement. This was a sound interim strategy. His shell-shocked party could not have coped with too much change at once. It also meant that Mr. Hague could place Michael Portillo, Sir Malcolm Rifkind or Chris Patten in senior portfolios if by-elections offered the chance. Sir Norman and Lord Parkinson have served with some skill and should stay in place for another year before returning (again) to their families. Others from the Major era are tired or implausible, and should follow the Mawhinney example.

The most important move in a radical reshuffle concerns, perhaps paradoxically, Peter Lilley. The most successful Tory minister of the last Parliament, he is the one figure from the past who is definitely part of his party's future. Mr. Lilley is about to take

charge of a wide-ranging review of Conservative policy. If the Tories win the next election he should be Chancellor of the Exchequer. At present, though, it would be better if he concentrated on the manifesto. The Tories need their own bruiser to take on Gordon Brown. That role does not easily fit Mr. Lilley. Whether or not Michael Howard is part of the politics of the next century, in the more immediate future he could be effective in attacking the Treasury — especially as the economy slows.

That shift would allow Mr. Hague the scope for substantial innovation. Michael Ancrum and Francis Maude are significant political actors. Mr. Ancrum has mastered the complexities of constitutional reform. That knowledge and his time spent in Ulster would make him an excellent Shadow Home Secretary — either this year or next. Mr. Maude, who has both relevant departmental experience and a recent background in business, would be an imaginative choice as Shadow Foreign Secretary. He can articulate the more sophisticated Euroscepticism that the Tories must offer.

Most of the remaining Shadow Cabinet survivors of the Major period should be put out to pasture. Lord Lucas has had a higher profile than Stephen Dorrell. Sir Alastair Goodlad is not an essential element of a future government. There are replacements readily available. David Willetts should have been in the Shadow Cabinet — ideally, dealing with Social Security — from the outset. Liam Fox and Angela Browning, like Miss Widdecombe, are talented performers worthy of elevation. David Maclean should not languish on the back benches for much longer. Mr. Hague cannot afford to wait for by-elections to happen. He needs new blood for his prospective fresh future.

## VOUCHER FOR A PRINCESS

Joint and two veg is no longer the British way of eating out

Perhaps it is her long experience of developing countries. Perhaps it is a frugal streak learnt while snatching a snack before another round of equestrian Olympics. Whatever the case, the Princess Royal has a quick eye for a bargain and knows that the offer of good food is not to be wasted. Her presentation of "Eat out for £5" vouchers, gleaned from *The Times*, as part payment for a dinner *doux*, may have surprised the Gloucestershire restaurant. But it is wholly in keeping with Princess Anne's sound common sense, and a tribute to the success of participating restaurants in wooing diners to their tables on cold winter nights.

Eating out at a good country restaurant is one of Britain's newly discovered pleasures. City sophisticates have always had their favourite tables at fashionable bistros. The favourite tables in the Highlands or the old occasional hotel in the Cotswolds has also been part of the circuit for those with traditional tastes and cultivated palates. They have now been joined by hundreds of intimate restaurants near babbling streams or on village high streets, where cooks are attempting to fulfil their dreams of opening a cosy, family restaurant in the country.

Two things have made this possible: the motor car and food guides. Most two-star

restaurants would quickly go bust if they relied on the nearby farmers for their customers as well as their produce. They must attract devotees from far and wide. And as with those who set out to venerate a local saint in ancient days, the men in blazers and ladies in sensible skirts who set out to pay homage to a locally worshipped chef find that the journey is an important stimulant in anticipating the feast itself.

Culinary scriptures are even more vital. An amateur gourmet pours over good food bibles, comparing ambience, price and specialities *de la maison*. He peruses the recommendations of the weekend magazines, reads the biographies of chefs and discreetly sounds out the Joneses to find out which restaurant they have just "discovered".

Compared with France, the star system is not yet fully developed in this country, nor is the approval of the critics as absolute a determinant. But even in Britain there are few places out of reach of "a rather nice little place" where the *hors d'oeuvres* will be original and the pork *suculent*. The country restaurant is one of winter's treats. And those who respond to their wholly practical way of accepting vouchers to bring in custom in these lean months are treated royally — even when they are not royalty.

## The chemistry of company mergers

From Mr Kenneth P. Armitage

Sir, Patience Wheatcroft ("Firms may merge but egos can't", February 25) may be correct to suggest that the reason why the proposed merger between Glaxo Wellcome and SmithKline Beecham didn't come off was because of the egos of the two fiercely competitive chief executives. However, mergers and acquisitions, whether friendly or hostile, tend to stifle rather than stimulate competition and there is little convincing evidence that organisations create greater value once merged.

Such mergers are usually followed by consultants' advisory programmes on reorganisation and business process re-engineering, de-layering of management through redundancies, downsizing of the workforce through further redundancy programmes; and, eventually, by outsourcing of non-core business activities.

All these management fads are designed to increase shareholder dividends, but usually at the expense of investment in research and development and programmes of training for growth and expansion. The result is gradual decline in activity and market share, that is until the next merger or acquisition. It is almost as if higher management training is designed to teach people how to improve the bottom line by reducing overheads but not how to make organisations grow.

A cynical view of management thinking processes? No, an assessment of the basic strategy practised throughout much of UK plc during the past decade. Perhaps it is not only the workers in Glaxo Wellcome and SmithKline Beecham who should be grateful that the merger has not, for the time being, gone ahead but also the public. As long as there is some kind of competition prices of some drugs may be held down.

Yours faithfully,  
KENNETH ARMITAGE,  
6 Deben Valley Drive,  
Kesgrave, Suffolk IP5 2FB.  
February 25.

From Professor Emeritus Bryan Reuben

Sir, Mergers between large pharmaceutical companies are not always successful, as the Ciba-Geigy/Sandoz (1996), Bristol-Myers/Squibb (1999) and Pharmacia/Upjohn (1995) unions showed. The SmithKline Beecham/Bechman merger succeeded in 1999 because it got Beechman's products strong access to SmithKline's excellent US sales force.

No such synergy was visible in the proposed merger between Glaxo Wellcome and SmithKline Beecham. Coming on the rebound from an equally dismal SKB/American Home Products initiative, it seems to have been poorly thought out.

The reaction of fund managers reflected the short-termism for which the City is notorious. Sacking research scientists means higher cashflows in the short term, paid for by lack of new products in the longer term. The senior fund manager whom you quote as saying that "The great and the good happily axe 5,000 or 10,000 jobs as long as they're staff. But when it comes to upsetting the odd ego in the boardroom, it's no deal" is cynically ignoring the fact that the failure of the merger saves the jobs rather than destroying them.

The research divisions of GW and SKB have been in a state of uncertainty for several years as a result of pre-emptive mergers. To prolong the uncertainty by another mega-merger would set back projects and lower morale even further. Scientists are human.

Yours etc,  
BRYAN REUBEN,  
7 Clarence Avenue, SW4 6LA.  
February 26.

From Mr John Hill

Sir, Is it not surprising that, in the event of corporate mergers, executives find no problem in dealing with redundancies — unless of course the redundancies are their own?

Yours faithfully,  
JOHN HILL,  
The Cottage,  
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Bury St Edmunds, Suffolk IP30 9QR.  
pb45@edial.pipex.com  
February 25.

## Retail record

From Mr Henry Button

Sir, The village store at Chipping in the Trough of Bowland, with a history going back to 1668, has been described as possibly "Britain's oldest shop" (report, February 16). Cambridge can do better than this.

George J. Gray, in *Cambridge Bookselling and the Oldest Bookshop in the United Kingdom* (1925), stated that he was "able to point definitely to William Scarlett as occupying the premises now known as No 1 Trinity Street from 1581 to 1617".

William Scarlett was a bookseller, as were later occupants. When Gray was writing, the building was occupied by Bowes & Bowes.

Since 1992 it has served as the showroom and bookshop of the Cambridge University Press, the oldest publishing house in the world.

Yours faithfully,  
HENRY BUTTON,  
7 Ashurst Court,  
Grange Road,  
Cambridge CB3 9BH.  
February 21.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

## Dome a tonic — but without spirit

From Mr Tony Simpson

Sir, It is fitting that the Millennium Dome proposals were unveiled by Mr Peter Mandelson on the South Bank site of the 1951 Festival of Britain (report, February 25).

The millennium celebrations, like the Festival of Britain and the Great Exhibition of 1851, descend directly from what Roy Strong described as "the whole art of festival as it stemmed from the Renaissance" (prologue to *A Tonic to the Nation*, edited by Mary Banham and Bevis Hillier, 1976).

There is nothing new about criticism of such "people's festivals". Similar fears and contempt — on grounds of cost, content, aims and bias — were directed at the Festival of Britain — often more critical, though from similar sources. Mr Herbert Morrison (Peter Mandelson's grandfather) had in addition to contend with post-war shortages, recession, rationing and the Korean War.

To their credit the then Labour Government, Morrison and his team kept faith with the Festival of Britain project and the people. They delivered what was generally agreed, and fondly remembered (even by those of us unable to get to London), as a hugely successful "tonic to the nation", along with "monuments to the future" including civic buildings and community projects, libraries, playgrounds, etc, many of which have continued in use to this day. Sadly much of the 1951 Festival site was demolished by the

new Government whereas the Dome will hopefully be of use for 20 years or so.

If Mr Mandelson, his Dome team and local projects can build on the success of past people's festivals they will also inspire us, give us joy and earn our thanks well into the millennium.

Yours sincerely,  
TONY SIMPSON,  
3 Heol Cae Glas,  
Tondur, Bridgend CF32 9ER.  
February 25.

From the Reverend Julian Hardyman

Sir, Simon Jenkins remarks of the Millennium Dome (article, February 25) that "Celebrating the birthday of a religion or a civilisation may not be the same as that of a person."

Like it or not, the millennium is the 2,000th anniversary (more or less) of the birth of a person — Jesus Christ. Yet the theme of the Dome is "Time", and its contents a celebration of the life and achievements of humanity. Even the "Spirit Level" section consists of a glass pyramid housing a display of the ways different faiths celebrate "rites of passage".

Your coverage gives very little sign that Jesus is going to be mentioned or celebrated anywhere.

Yours etc,  
JULIAN HARDYMAN,  
96 Arbury Road,  
Cambridge CB4 2JF.  
jhardyman@ibm.net  
February 26.

## Hip implant failures

From Mr John Watson-Farrar

Sir, I believe that the problems caused by the Capital 3M hip replacements (report, February 20) were inevitable.

Having retired from my position as senior consultant orthopaedic surgeon at the Norfolk and Norwich Hospital in 1991, and not having kept up with recent orthopaedic research, I am now slightly bemused by stories from younger colleagues who tell me that metal-on-metal implants are now back in favour.

In the very early days, some 35 years ago, there were four pioneers: the late John Charnley, my late colleague Ken McKee and myself, and Peter Ring. The latter was not happy with the use of "cement" and devised a joint that could be inserted without relying (in theory) on it for fixation.

As hip-replacement surgery gained in popularity, more and more surgeons became interested and this eventually led to the multiplication of the various types of artificial hip joints that became available. A letter which I received from Charnley in 1965 essentially admits that there was no real difference between his joint and ours.

Doubtless, in time, significant improvements will be made; but these will need to be tried and tested before they are inflicted on the public at large. Hopefully, that end is in sight, come June this year, when the EU will impose legally enforceable standards on all medical devices.

That will be a significant step. Until now, it has been a question of every man for himself — and, I suspect, every company for itself, since companies have largely funded the development and need to see a return on their capital investment.

In 1977 I endorsed the attention given in a book which I was reviewing for the *Journal of Bone and Joint Surgery* to "the safeguards that should be taken in respect of joint replacement surgery in the future and the possible formation of a central body monitoring all such operations".

What a pity this was ignored and that it has taken long-foreseen problems and an EU directive to galvanise people into action.

Yours sincerely,  
JOHN WATSON-FARRAR,  
The Croft,  
The Turnpike, Carleton Rode,  
Norwich, Norfolk NR16 1NL.  
February 26.

## Royal wills

From Mr Michael L. Nash

Sir, When discussing the will of Diana, Princess of Wales, your Diary (February 26) states that "Only the will of the monarch is kept secret: all others have to be made available". The facts are not so simple.

Until after the death of Edward VII in 1910, the will of the monarch was available for public inspection, as were those of all other members of the Royal Family.

In October 1910, Prince Frank of Teck, the brother of the new Queen Mary, died suddenly at the age of 40. Queen Mary had his will "sealed", for what reason one can only speculate.

From that day to this all royal wills have been sealed and are not available to anyone, scholars and researchers also being excluded from seeing their contents.

It seems that this will not apply to the Princess of Wales as a former member of the Royal Family (report, February 27). The will of the Duke of Windsor was sealed in 1972: the Duchess of Windsor did not leave a formal will.

Yours sincerely,  
MICHAEL L. NASH  
(Senior Lecturer in Law),  
Business School,  
City College Norwich,  
Ipswich Road, Norwich NR2 2LJ.  
February 26.

## The Lord's Prayer

From Professor T. J. Smiley

Sir, Bringing the Lord's Prayer as close as possible to the actual prayer of our Lord must be right, even if it means giving up words that have become familiar, eg. if "time of trial" is more accurate than "temptation" (report, February 12; letters, February 13, 24).

But in that case, what is the General Synod doing marketing "For the kingdom, the power, and the glory are yours now and for ever" to an unsuspecting public as a part of the Lord's Prayer? Removing this wholly unscriptural addition would have the double advantage of bringing the Church of England into line with the Church of Rome and the Trade Descriptions Act.

Yours etc,  
T. J. SMILEY,  
Clare College, Cambridge CB2 1TL.

Letters for publication may be faxed to 0171-782 5046.  
e-mail to: letters@the-times.co.uk

## Force of feeling from the country

From Mr Neil Moore

Sir, Our new Labour Government, less than a year after taking office and with a little help from Mr Michael Foster and his friends, has just achieved a remarkable feat.

It has succeeded in provoking the largest protest demonstration in living memory (reports and leading article, March 2), perhaps ever, with marchers drawn from all sections of society and all parts of the country.

The Government is widely perceived as arrogant, blinkered and insensitive, knowing little and caring less about countryside matters. There are a number of different issues — the beef on the bone fiasco, hunting, disproportionate council tax rises for shire counties and so on — but the theme is common. People are worried about the future of rural communities and rural pursuits and they are angry about threats to freedom of conscience and freedom of choice.

If ministers would demonstrate a willingness to listen and learn, rather than preach and patronise, the better it would be for them and for us.

Yours etc,  
NEIL MOORE,  
Le Berail,  
St Mawes, Cornwall TR2 5DR.  
March 2.

From Mr R. W. Bucknell

Sir, I am amused that Sunday's march was compared in numbers to the poll tax demonstration of 1990 (report, March 2). There should be no comparison.

Nearly 100 per cent of this country's people were affected by the poll tax. Yesterday's marchers were drawn mainly from about 3 per cent. Also this was a march, not a riot.

Yours sincerely,  
R. W. BUCKNELL,  
Onchors Farm, Great Saling,  
Braintree, Essex CM7 5DS.  
March 2.

From Mr Neil Dabson

Sir, As a pig farmer I wish I knew how to get hold of Simon Jenkins's so-called "pigmeat ... payments". The only pigmeat payments come from selling in the market; were this the case I might be able to buy one of those Range Rovers he sees about him. (Proof, if any further were needed, that he lives in London.)

However, there is a grain of truth. The CAP has made many UK farmers into a "mendicant order". For that they merit no sympathy. The real problem is deeper. The countryside has been mythologised by English highbrow and popular culture, as Bret Lovegrove (letter, February 28) demonstrates: "Foxes and other wildlife may not understand that being killed by hounds is 'noble'. Quite true, but foxes do not 'understand' anything; foxes are not reasoning beings."

A society that shops in supermarkets is now demanding that its own farms and small food businesses comply with regulations of unparalleled prissiness, while undercutting home production with imports that do not meet UK health, welfare and hygiene standards. The projected ban of unpasteurised milk is a pathological obsession, not consumer protection.

The terrifying thought for farmers is that many people, some of them influential, take Anchor butter advertisements at face value.

Yours faithfully,  
NEIL C. DATSON,  
Glebe Farm,  
Spelsbury, Oxford OX7 3JR.  
March 1.

From Mr Alan Hardwick

Sir, The same Karl Marx who is quoted in your leading article (February 28) also gave due thanks to the politically and economically ascendant bourgeoisie for having liberated us "from the idiosyncrasy of rural life".

Yours faithfully,  
ALAN HARDWICK,  
8 Thornthwaite Close,  
West Bridgford,  
Nottingham NG2 6RY.  
February 28.

## Grade A doctors

From Professor Emeritus Philip Rhodes

Sir, Walking along the corridor at St Thomas' Hospital many years ago, the late lamented Professor Henry Barcroft remarked to me that "the study of medicine is a useful way to pass the time until the student is mature enough to become a doctor" (letters, February 11, 23).

Yours sincerely,  
PHILIP RHODES,  
1 Wakerley Court, Wakerley,  
Oakham, Leicestershire LE15 8PA.  
February 23.

## Elton's knighthood

From Mr Ian S. Burge

Sir, The granting of a knighthood to a married man is a double blessing. What wife does not enjoy being officially recognised as a Lady?

But what of companions? Do they expect equal rights? How would they be styled — KC?

Yours faithfully,  
IAN S. BURGE,  
Glen Usk, Carleton NP6 1LU.  
February 26.







# PETER LIVESEY

interview with Reynaldo wherein the old gentleman takes so elaborate precautions for his nephew's safety. What is the point of this? What Laertes' behaviour in Paris has to do with the matter in hand is not apparent; but the character of Polonius is illustrated which no doubt was Shakespeare's sole concern – and it, amid all this abundance of irrelevant detail, Hamlet and his revenge story are thrust out of mind, we feel. I still think that Hamlet is a very good play. Why, the plain man may ask, so many homilies, so many digressions upon things in general? Why does Hamlet fill up the interval of waiting for the Ghost with a sermon on interpenetration? Why does Laertes lecture his sister in such rough terms on her ill-governed tongue? Why does Hamlet, in the very crisis of his scheme to entrap the King, pause to deliver a set discourse on the art of historiography? The explanation of course is simple enough. Students know that the play was written before 'specialisation of function' had become a thing, and that, like all Elizabethan plays, it wanted a little of everything, and a good deal of that mingled rhetoric and speculative philosophy which was soon to quit the stage for books ...



# £1,000 prize keeps entrants on their toes

## The story so far...

I blame Colin Hendry, of course. Oh come, now, anyone can hit a penalty straight at a goalkeeper. Anyone can; he did. I signed him to score from set pieces and lead my team to Wembley, and now look. But he scored a goal on Saturday, and your FA Cup team still scores league points, after all. Did you transfer him out before the weekend, by the way? You were talking about it last week.

Luckily not, so I got something for his goal at Ewood Park. I'm saving up as many transfers as possible so that at least I have some players involved on Cup Final day. If there's any consolation, it's that all those rivals of mine out there who signed Andy Cole and Peter Schmeichel will have to make transfers as well.

That's part, and probably parcel, of the competition. Anyone who stuffed their team with players from Leeds, Coventry and Arsenal, and a sprinkling of likely lads from Rangers, Celtic and St Johnstone at the beginning will have done well, because they haven't needed to transfer anyone yet.

Whereas anyone who picked players from Leicester, Aston Villa and Sheffield Wednesday...

Like you...

...like me, is looking at building a whole new team. I admit it. But how was anyone to know? Celtic, Rangers, Arsenal, okay; but Ayr United? And then there's Coventry—I know they won the Cup in 1987, and they're doing all right in the league, but it's still a strange-looking sixth round.

You may scoff, but the Sky Blues are statistically the most in-form team in the Premiership.

I have a feeling I know which the least in-form team is. A stinking feeling, I imagine; it's that one you signed all those cheap defenders from. Six defeats in a row for Crystal Palace now. But it's true that Coventry weren't doing much until just before Christmas. And, to borrow your phrase, now look.

So what you're saying is that there's hope for Crystal Palace yet?

No, I don't believe that I am saying that at all. Terry Venables might.

Well, back in the real world, I still have Berkovic and Harrison on the Wembley trail, and West Ham have a good record of getting to Cup Finals. They even won it as a second division club, someone told me. Didn't Des Lynham or someone score the winner?

Stop trying to make me feel my age. It was Trevor Brooking, actually.

I knew that really.

Queries over points tables; the monthly prize-winners announced next week; top jumper of the week leaps 30,000 places with 53 points

A number of readers have inquired about recent ITF player lists. Since the beginning of the FA Cup League, two extra columns have appeared: these indicate the FA Cup league scores for the past week (FA Cup) and the total FA Cup League score to date (FA).

Confusion has arisen, however, over the final column (Tot). This figure represents the total points accrued to date by a player in 50 matches. This includes both league and FA Cup matches. Although the FA Cup league is a separate competition, any points players in your team(s) score in FA Cup matches are added to that player's overall total, which decides your team's placing in the main ITF league (as well as any of the mini-leagues you may have entered).



The name of the team, Alibabastars, seems full of Eastern promise, but the selection contains only one player from West Ham, David Unsworth, who contributed a grand total of nil points to the week's efforts. The top scores

**HOW IS YOUR TEAM DOING?**  
Call the ITF  
Checkline on  
0991 111 333

Sup a minute, using a Touch-tone telephone, public calls and twice as much



Despite the attentions of two Leicester defenders, Sutton moves in on goal. His weekly ITF total was 19 last week

## FAXBACK: YOUR UP-TO-DATE TEAM SCORES

The Times Faxback service provides you with a complete results sheet of your team, showing current and total scores, dates, times and details of transfers, as well as your position in the ITF league and, if appropriate, your mini-league (women's, students', youth). Scores and transfer confirmations are updated by 12 noon on the day following a match or matches.

Make sure you have your two-digit PIN number ready when you call. To obtain an ITF team faxback, simply pick up the handset of the fax machine and dial the telephone number below. If your fax does not have a handset, attach a handset or press the on-hook or telephone button instead and dial the number below. Listen carefully to the instructions and press the appropriate buttons when asked. Calls cost £1 per minute and are available in the UK only.

The number to call for your faxback is:  
**0991 111 333**

If you have any problems operating this service, call the Faxback Helpline on 0171-412 3785. This service is provided by Telecom Express, Westminster Tower, London SE1 7SP.

## LEAGUE UPDATES

ITF LEAGUE	PFA PLAYERS' LEAGUE
£50,000 top prize £1,000 monthly prize	Professional players choose their fantasy team
<b>STUDENTS' LEAGUE</b> Monthly prize of £1,000 for the best team, signed football and sports bag	<b>YOUTH LEAGUE</b> Monthly prize of £1,000 for the best team, signed football and sports bag
<b>WOMEN'S LEAGUE</b> Monthly prize of £1,000 for the best team, signed football and sports bag	

## WOMEN'S LEAGUE

1 S Whitfield	Small Buxton	888
2 J Gardner	15 Chumbawumbas	845
3 A Hemmings	The Breconians 1	838
4 S Fletcher	Ad Fals	835
5 S Brooks	Sandra's Specials	832
6 C Purdy	Kalos Cosmos	827
7 A Finch	Annette's Angels	822
8 L Emery	Buggies' Boys	813
9 A Adams	Barney Wolves 11	808
10 C Raby-Gulmaras	Calderdale Arles	794
11 J Pappas	Pepper Pots	790
12 C Cheshire	Cheshire's Cats	782
13 J Woodner	James FC One	787
14 M Portwood	Wentworth Play 2	784
15 M Hussain	Good Luck Malika	782
16 M Nicol	Potter's	781
17 P Johnston	Kate's Lovers	780
18 C Purdy	Kate's Lovers	772
19 S Reader	Sophia Reader Fa	767
20 S Allport	Farmore Pinkie	758

## STUDENTS' LEAGUE

1 N Wheatley	H D G is a Bad Winner	936
2 T Gardner	6 Chumbawumbas	897
3 Mr N Wheatley	Witheridge is II	896
4 G Wilson	Dog Soldiers	845
5 J Gardner	15 Chumbawumbas	845
6 Steven Shipley	Barney Wolves 11	815
7 E Carmichael	Set Against	811
8 F Fargusson	Saucy Sue Barker	789
9 J Windle	Father Shaboooboo	787
10 M Stacie	Paradise One	758
11 K Wade	Inter Mers AFC	748
12 C Mananazak	Jensen's XI	748
13 J Frost	Variety Sports Inter	745
14 J MacMillan	The White Helms	741
15 W Razzak	Paradise One	738
16 N Wheatley	A Tight Horse is Fun	735
17 Z Tezer	Zoggy Greaves XI	728
18 T Sharpley	Mr Men	727
19 G Skidington	Dynasty Slav	726
20 M Baker	Total Carnage	725

## YOUTH LEAGUE

1 M Sornapala	Horley Flames	854
2 D Lewis	Lewis Boys 11	871
3 R Wicks	Robbed	855
4 J Gardner	15 Chumbawumbas	845
5 M McPhillips	Bullyboys	830
6 C Oyston	The Offspring FC	830
7 O Ledgard	Oliver's Army	813
8 M Roberts	Kyrtoria Three	798
9 G Richards	G Force 2	792
10 J Laurence	Smooth United	788
11 K Timball	Flash XI	752
12 N Brumerton	Total Commitment	750
13 C Mananazak	Jensen's XI	748
14 E Swilco	Estovers Entertainment	738
15 S Mawer	Forest Reserves 2	727
16 A Simpson	Aye	725
17 N McMillan	No Opposition	717
18 N McGinness	The Invincibles	713
19 J Brady	James's Jammers	711
20 T Quistley	Fulius	702

## ITF LEAGUE

1 Mr M Jones	Joe4	1012
2 Mr M Jones	Joe4	1012
3 Mr M Jones	Joe4	1006
4 Mr M Jones	Joe4	998
5 Mr M Jones	Joe4	993
6 Mr M Jones	Joe4	988
7 Mr M Jones	Joe4	985
8 Mr M Jones	Joe4	980
9 Mr M Jones	Joe4	979
10 Mr M Jones	Joe4	978
11 Mr M Jones	Joe4	972
12 Mr M Jones	Joe4	970
13 Mr M Jones	Joe4	964
14 Mr M Jones	Joe4	963
15 Mr M Jones	Joe4	962
16 Mr M Jones	Joe4	960
17 Mr M Jones	Joe4	958
18 Mr M Jones	Joe4	957
19 Mr M Jones	Joe4	956
20 Mr M Jones	Joe4	954
21 Mr M Jones	Joe4	943
22 Mr M Jones	Joe4	942
23 Mr M Jones	Joe4	940
24 Mr M Jones	Joe4	938
25 Mr M Jones	Joe4	936
26 Mr M Jones	Joe4	935
27 Mr M Jones	Joe4	933
28 Mr M Jones	Joe4	932
29 Mr M Jones	Joe4	930
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31 Mr M Jones	Joe4	928
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93 Mr M Jones	Joe4	866
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95 Mr M Jones	Joe4	864
96 Mr M Jones	Joe4	863
97 Mr M Jones	Joe4	862
98 Mr M Jones	Joe4	861
99 Mr M Jones	Joe4	860
100 Mr M Jones	Joe4	859

## PFA PLAYERS' LEAGUE

1 Paul Simpson	Derby County/Wolves	854
2 Paul Simpson	Derby County/Wolves	854
3 Paul Simpson	Derby County/Wolves	854
4 Paul Simpson	Derby County/Wolves	854
5 Paul Simpson	Derby County/Wolves	854
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100 Paul Simpson	Derby County/Wolves	854

## INTERNET LEAGUE

1	Mike Maddison	Poachers never change	1008
2	Mary Ann Kennedy	Travellers Unstoppable	985
3	Mary Ann Kennedy	Top Gun	943
4	Suzanne Makin	Spud2	943
5	Barbra Papp a la Beeson P	Novice Explorers	942
6	P Bown	Bees XI	942
7	Chris Forde	Games of Two Pairs	936
8	Jeremy Dwyer	Nudge Nudge Wink Wink	914
9	Graeme Dabnor	St Remy Strikers	914
10	Tim Oldfield	Wildfire Warriors I	912
11	Mike Maddison	MARM Fantasy Legends	912
12	Mary Ann Kennedy	Cliff Peak RVC	908
13	Henry Whisker	Quito Fun	905
14	Chris Forde	AC Dot UK	904
15	Bailis	Geoffry FC	902
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BUSINESS EDITOR Patience Wheatcroft

TUESDAY MARCH 3 1998

## Rival US utilities raise Energy bids

By CHRISTINE BUCKLEY  
INDUSTRIAL  
CORRESPONDENT

PACIFICORP, the American energy utility, dramatically fought back in the battle for The Energy Group last night with an 820p-a-share bid worth a total of £4.35 billion.

The after-hours announcement trumped an offer of £4.3 billion or 810p a share from Texas Utilities, the rival US group, that had earlier yesterday won agreement from The Energy Group board in preference to the prior PacificCorp bid of £4.05 billion.

Advisers to PacificCorp raised the market yesterday afternoon and emerged with an 8.6 per cent stake in The Energy Group, understood to have been picked up at 820p a share. Last night Texas Utilities said it was considering its position.

Full details of the increased PacificCorp bid are expected to be revealed when the market opens this morning.

PacificCorp's takeover attempt has already been approved by regulators in Britain and America. John Devaney, chief executive of The Energy Group, said he believed regulatory hurdles would not be a problem with Texas either.

A key part of the Texas bid for Energy, which owns Eastern Electricity, is that it will sell an Peabody Coal, the US mining operation, for £1.4 billion deal with Lehman Brothers.

Texas, which will become 175 per cent geared if it is successful, is financing the deal with £6.25 billion from a £3.5 billion of bank led by Chase Manhattan. But the company plans to reduce its indebtedness — a feature which triggered concern over the first PacificCorp offer last summer — with a share issue within the next year.

The battle for Energy is the most prolonged for any UK utility. It started with PacificCorp's first approach last summer, which was referred to the Monopolies and Mergers Commission.

# Inchcape to be broken up



Philip Cushing, left, with Sir Colin Marshall, the chairman of Inchcape, has talked himself out of job with the break-up of the company and the concentration on car distribution

By PAUL DURMAN

INCHCAPE, surprised investors yesterday with an audacious plan to break itself up in a final attempt to halt the sharp decline in its share price that has taken place over the past five years.

The company proposes to give its investors shares in a Coca-Cola bottling company in Chile and an Asian marketing business as it concentrates on its main car import and distribution business.

The break-up of Inchcape will lead to the departures of Philip Cushing, chief executive, and Les Cullen, finance director. Sir Colin Marshall is to continue as

## Chilean and Asian company shares for investors

chairman, but its executive management will be headed by Trevor Taylor, chief executive of the group's Toyota division, and Peter Johnson, head of Inchcape Motors International.

Bottling operations in South America will be spun off into a separate company listed in Chile. The less-successful marketing arm, which represents Pringles crisps, Durex condoms and Nike sportswear, will be demerged on to an as-yet-undecided Asian stock

market. These deals are expected to be completed over the next 15 months.

Before then Inchcape intends to sell its Coca-Cola bottling operation in Russia and its shipping services arm.

Mr Cushing said: "It is very important for us to be able to present ourselves to shareholders in a clear and straightforward way. Over the past two years we have delivered a 25 per cent increase in profits but the market capitalisation of the company has not

responded to this improvement."

Inchcape shares halved during the final months of last year, mainly because of worries about Inchcape's exposure to Asia. Inchcape claims this was an unjustified overreaction. Yesterday its shares jumped 23½p to 212p.

Mr Cushing added: "I have to accept that if this is the best solution for shareholders then there have to be some consequences for me." Compensation payable to Mr Cushing

and Mr Cullen, who will oversee the disposals over the next 15 months, has yet to be decided.

The continuing motors business, the largest independent car distributor, will have sales of £4 billion, profits of more than £100 million, and net assets of more than £500 million.

Inchcape recognises that not all its shareholders will want to own shares in a Chilean bottling company or an Asian marketing company, and in-

tends to make appropriate arrangements. Early estimates suggest that the bottling company will have a value of about £500 million, while the marketing business will be valued at closer to £100 million.

Inchcape's full-year results showed a 12 per cent rise in underlying pre-tax profits to £184.1 million. One-off charges reduced pre-tax profits to £89.6 million, down from £107 million.

A 6.6p final dividend, payable on June 9, makes an 11p total payout (10.5p).

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## BTR price revitalised by special payment plan

By ADAM JONES

IAN STRACHAN, the BTR chief executive, managed to breathe a little life back into the shrinking conglomerate's shares yesterday when he announced the return of £2 billion to investors.

The shares rose 16 per cent to 187p. They had been driven up on the promise of a £1.5 billion special payment to shareholders in the first half of this year, and another £500 million in 1999. Mr Strachan

said little about what form the return of capital would take, preferring to take account of any changes in the Budget later this month. The second payment will take advantage of the abolition of advance corporation tax in April 1999.

Mr Strachan also confirmed the sale of BTR's packaging businesses to Owens-Illinois of the US for £2.2 billion in cash, marking the halfway point in its mammoth disposal

programme. The division includes Rockware and ACI — glass bottle producers in the UK and Australia respectively.

Andrew Mitchell, a Merrill Lynch analyst, said the price easily beat some market predictions of between £1.5 billion and £1.7 billion. He said the amount of capital to be returned was also more generous than expected.

Commentary, page 29

## London soars to high after Tokyo's sharp rally

By JANET BUSH, ECONOMICS EDITOR

THE London stock market roared to a record high, helped by a sharp rally in Tokyo on hopes that Japan is going to produce new measures to stimulate its economy and on more positive news from British corporates.

The FTSE 100 index closed 53.3 higher at 5,820.6, below an all-time trading high of 5,822.4 hit in afternoon dealing.

There was a positive mood at the outset after the Nikkei

225 index jumped by more than 25 per cent to hit its highest level since last October. Taku Yamashiki, policy chief of the ruling Liberal Democratic Party, called for a programme of public works to be accelerated.

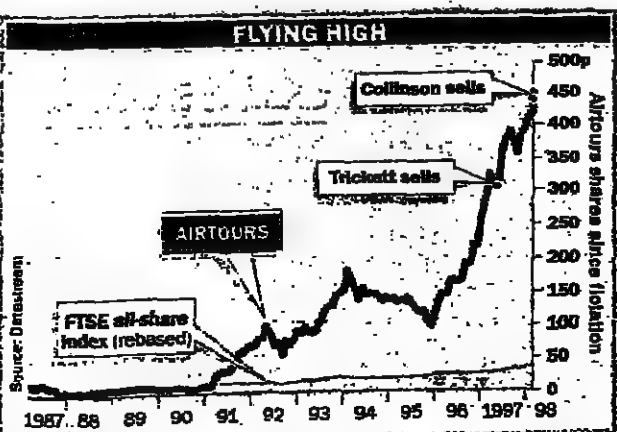
London shares were also boosted by news of a bid by Texas Utilities for The Energy Group and BTR's announcement of the sale of its packaging business for £2.2 billion

and its plan to return £2 billion to shareholders.

Economic data added little new to the debate on whether interest rates will have to rise. The purchasing managers' survey underlined the weakness of manufacturing but credit and money supply figures suggested robustness in consumer demand.

Industry on brink, page 28  
Markets, page 30

# Collinson sells bulk of his Airtours stake for £3.8m



HUGH COLLINSON, 53, the former managing director of Airtours and now chairman of its hotels and cruise division, yesterday sold £3.8 million worth of shares in the tour operator — the bulk of his holding.

After disposing of 750,000 ordinary shares and 95,000 options, Mr Collinson, a former accountant who was brought in to help with the flotation of the company in 1987, has just 100,000 shares left, or 0.023 per cent of the company.

Mr Collinson's shareholding dated from before 1996, when the stock was close to a five-year low of around 90p and

By MARIANNE CURPHEY

just before the shares began their ascent to a record high of 456p. The shares were unchanged at this level yesterday.

The shares were placed at 180p in 1987, and rose to almost £14 each before a share split earlier this year.

Mr Collinson made £3 each on his 95,000 options, giving a clear profit of £285,000. Airtours declined to say what he made on the shares that he sold, at 450p.

Mr Collinson was the first professional manager brought in by the founder of Airtours, David Crossland, 51, now its chairman, before the group's flotation in March 1987. Mr Crossland still owns 11

per cent of the company that he built up from two small travel agency firms in Lancashire that he bought in 1973.

Airtours is the UK's second-largest tour operator, with 18 per cent of the £7 billion overseas package holiday market. Thomson, the market leader, has 26 per cent.

Airtours owns travel companies in Scandinavia and Canada, runs a British charter airline and cruise ships and owns a travel agency, Going Places. In February 1996 shares in Airtours rose strongly when it announced that Carnival Cruise Corporation of the US was taking nearly 30 per cent of Airtours stock.



Collinson: shares climbed

## Snowden to get \$13m GTech payoff

FROM OLIVER AUGUST  
IN NEW YORK

GUY SNOWDEN, the disgraced former chairman of GTech, will receive a \$13 million payoff (£8 million) after resigning from the lottery operator.

GTech said yesterday it is severing all contractual relationships with Mr Snowden and Victor Markowicz, Mr Snowden's co-chairman, in an attempt to "completely reorder GTech by refocusing the way we conduct business."

Mr Snowden resigned last month after losing a high-profile libel battle over allegations that he tried to bribe Richard Branson, the Virgin tycoon. Mr Markowicz resigned last week. GTech is a partner in Camelot, the operator of the National Lottery in Britain.

The two men, who founded GTech in 1976, will each receive a "golden goodbye" worth \$9 million and salary payments for this year of around \$4 million. The payout ends their participation in GTech's long-term incentive scheme. All their options have been redeemed but they each own about 1 per cent of GTech's stock.

A company spokesman said: "What they do with their shares is not up to us. We have ended all contractual relationships. There are no more share options outstanding."

Last week GTech announced it will sack 800 people worldwide, including about 20 in Britain. It plans a vast restructuring and will take a \$100 million charge against fourth-quarter results, due at the end of April.

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# Industry on the brink of recession

By ALASDAIR MURRAY, ECONOMICS CORRESPONDENT

THE manufacturing sector is teetering on the brink of recession after new data showed output rising at its slowest rate for nearly two years.

Separate monetary data, also released yesterday, however, pointed to continued robust growth in consumer spending, highlighting the dilemma the Bank of England's Monetary Policy Committee will face when it reaches its decision on interest rates on Thursday.

The Chartered Institute of Purchasing Managers index fell for the third consecutive month, slipping from 51.8 to 51.2 — a figure that still indicates there is some weak growth in the sector. The new orders index also fell slightly.

## Winchester Commodities in liquidation

WINCHESTER Commodities, the metals trading group embroiled in the Sumitomo copper trading scandal, is being placed in creditors' voluntary liquidation by its co-founders, Charles Vincent and Ashley Levett (Jon Ashworth writes). Winchester has found it difficult to recruit staff in the wake of the Sumitomo affair, in which Yasuo Hamaoka, Sumitomo's former chief copper trader, ran up losses of \$2.6 billion (£1.55 billion) in allegedly unauthorised trading. The Securities and Futures Authority absolved — Winchester, of any wrongdoing involving Sumitomo and Codelco, the Chilean copper producer. Mr Vincent and Mr Levett have consistently denied any wrongdoing.

cantly, while export orders registered a net fall for the second month running as the strong pound continued to bite.

Overall demand rose at its lowest rate for more than 18 months, suggesting that domestic demand for exports was also faltering. However, the strong pound helped raw material prices to fall for the twenty-eighth consecutive month.

Peter Thompson, director-general of CIPS, said the data was "depressing". "Manufacturing may not have yet fallen into recession, but these figures show it is just about to," he said.

Consumer credit, however, rose a record £1.29 billion in January, after a similarly strong increase of £1.25 billion the previous month. The credit card lending component of the figure eased slightly to £361 million, compared with £441 million in December. Other lending increased from £810 million in December to £924 million, as consumers took advantage of retail credit deals available in the winter sales.

Total personal borrowing growth, which also includes mortgage lending, remained stable at 7.5 per cent as mortgage lending slipped slightly.

M0, the measure of narrow money supply, also unexpectedly increased in February, climbing from 7 per cent to 7.2 per cent. However, the quarterly rate of growth eased back from 7.7 per cent to 5.9 per cent, suggesting that money supply growth, although still strong, has probably peaked.

Richard Riley, UK economist at A&N-Aurora, said the data was probably not sufficient to persuade the Bank to raise rates this month. "The further rate rise we anticipate awaits truly decisive data — either a return to above trend-GDP growth or 5 per cent average earnings growth," he said.



Ladder of success: David Smith, top, chief executive, and Harry Cooper, finance director at Whatman, the filtration and separation technology company, saw pre-tax profits rise 24 per cent to £14.6

million in 1997. Turnover was little changed at £92.9 million, against a restated £92.4 million.

Underlying sales in Europe and America grew 5 per cent and 10 per cent respectively.

Sales in Asia Pacific and Japan rose 18 per cent and 12 per cent respectively. Earnings increased to 38.1p (30.8p) a share. A final dividend of 10.3p lifts the total 17 per cent to 15.5p.

## United gets a single contract for £3m fee

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

A CONTROVERSIAL £3 million consultancy fee was paid to an adviser by a division of United Utilities despite the operation bringing in only one new contract. A large part of the payment was performance-related.

United paid the sum to Derek Lewis, the non-executive chairman of Vertix Data Services — its billing and information technology division — under a contract arranged by Brian Staples, United's ousted chief executive.

Vertix, which last year made profits of just £27 million, was set up as an independent subsidiary two years ago with the aim that it should attract new business. So far, more than 95 per cent of its business remains the billing needs of United, a function that two years ago was conducted by two managers earning a total of about £200,000.

Vertix has won one new client — Bromley National Health Service Trust — and works also for Comet, the retail chain which bought the old retail division of United's electricity arm.

At £3 million, the payments made to Mr Lewis through his company, Heracles, equal 11 per cent of last year's profits. United is likely to face strong pressure to renegotiate the contract.

The latest pay embarrassment comes as Sir Desmond Pitcher, executive chairman, is preparing to leave United early after pressure from institutional investors. Sir Desmond was two years ago dubbed king of the utility fat cats by Ian McCartney, now industry Minister.

Commentary, page 29

## SocGen disposes of Hambros bond arm

THE break-up of Hambros, the financial services group, gathered pace yesterday when the new owner of the banking business, Société Générale, the French bank, sold the bond division. Royal Bank of Canada is paying an undisclosed sum for the bond business. About 150 employees, most of them based in London, are expected to move across when the deal is completed this week.

John Burbidge, of Royal Bank's global markets division, said that the Hambros division complemented its own bond business. "They are strong in euros [bonds], while we are strong in the Canadian market," he said. Stephen Brisby, deputy head of global corporate finance at Société Générale, said it had disposed of the bonds division partly because it was non-core, and partly because of the overlap in bond origination. Société Générale completed its £300 million acquisition of Hambros' banking division last Friday. It gave warning then of significant redundancies among the 1,000 plus staff.

## Ewart battle nears end

THE battle for control of Ewart, the property group based in the Irish Republic, appeared close to a conclusion yesterday when Brian O'Connor, the chairman, pledged his 16 per cent stake to Dunlos House, lifting Dunlos's total holding to 51 per cent. Mr O'Connor's move appeared to defy the Ewart board, which had recommended an 81p-a-share offer by Moyne, a Northern Ireland consortium, after a third interested party, understood to be British Land, backed away from discussions.

## Prudential-Bache fines

THE International Petroleum Exchange said that Prudential-Bache International and four of its employees have been sanctioned by a disciplinary panel. The IPE said that when acting on instructions from a client a third party supplier order was caused to be executed in the gas oil market. The panel fined Keith Barker £10,000, Gary Lambert £10,000, Stuart Ditcham and Ian Baker £1,000. Prudential-Bache was fined a total of £1,000 in respect of actions by its employees.

## Training group ahead

SHARES in Corporate Services, the contract labour and training services group, fell 9p to 23p yesterday in spite of improved profits and sales in 1997. Profits at the training division were hit by more than £1 million being spent on improving National Vocational Qualifications courses. Pre-tax profits rose to £30.3 million (£19.1 million), while turnover was £440 million (£277 million). Earnings per share were 13.6p (11.5p). A final dividend of 3.2p makes a total of 5.9p (5p). *Temps, page 30*

## ITN retains C4 contract

INDEPENDENT Television News has retained the contract to produce Channel 4 News seeing off a rival bid from a joint venture between Merton Barracough Carey, the independent production company, and Sky News, part of BSkyB. As part of its effort to keep the contract ITN replaced award-winning editor Sarah Nathan with Jim Gray who revamped the programme. It is now achieving a million viewers a night, some of its highest ever audience ratings.

## Asian crisis hits Brunner

ECONOMIC difficulties in South-East Asia and the pound's strength contributed to a slight fall in pre-tax profits at Brunner Mond, the chemicals manufacturer, in the six months to December 31. Profit was £8.8 million (£8.9 million) on turnover flat at £72.2 million. Earnings were 8.5p (8.6p) a share. The interim dividend is held at 2.9p. David Wertheim, chief executive, said it was hard to predict the full impact of the Asian crisis but he believed Brunner was in a strong position longer term.

## Glaxo deal lifts Cantab

CANTAB PHARMACEUTICALS increased revenues, reduced its loss and strengthened its balance sheet last year — largely thanks to its deal to license a potential herpes vaccine to Glaxo Wellcome. The deal provided the bulk of Cantab's £7.7 million (£3.1 million) of revenue. The larger drugs group also took a 4 per cent stake, enabling Cantab to finish the year with £41.8 million (£36.3 million) in cash. The loss fell to £3.2 million (£4.5 million).

## Planit acquired for £12m

PLANIT GROUP, a developer of point-of-sale software, will reverse into British Thomson, a holding company whose main business is packaging. It was announced yesterday British Thomson will pay about £12 million for Planit, of which £9 million will be satisfied through the issue of new shares to the vendors. In the six months to October 31 Planit earned operating profits of £580,000 on sales of £2.05 million. British Thomson shares were suspended at 25p yesterday.

## Domestic advances 13%

DOMESTIC & GENERAL GROUP, the specialist domestic appliance breakdown insurer, lifted pre-tax profits 12.8 per cent to £6.7 million in the six months to December 31. This was despite disappointing trading in December and the impact of increased rates of insurance premium tax, which adversely affected point-of-sale retailer schemes. Earnings rose 17.3 per cent to 13.19p a share and the interim dividend is increased to 3.5p from 2.9p. The shares rose 8p to 53p.

## Olivetti to sell division

OLIVETTI, the Italian information technology and telecoms company, is to sell its Olsy systems and services division to Wang Laboratories of the US in a \$390 million (£236 million) cash-and-shares deal that gives Olivetti a 19 per cent stake in the US company. The new Wang-Olsy group is expected to have combined revenues of about \$3.6 billion. Olivetti will shortly announce a second deal concerning the future of its Lexikon computer office equipment division.

## Second venture for Tesco and Land

By CARL MORTSHED

BRITISH LAND and Tesco are setting up a second joint venture property company with assets worth £330 million. The new vehicle, which follows a £175 million joint venture established in 1996, will be owned equally by the two partners with £210 million

of properties contributed by Tesco and the balance injected by British Land. The partnership will also invest a further £90 million in development, including the proposed regional shopping centre at Serpentine Green in Peterborough where Tesco is the anchor tenant. The portfolio will comprise 1.8 million sq ft, including

five Tesco superstores and seven retail shopping schemes anchored by Tesco. John Ribbles, chairman of British Land, said that the partnership would be building extensions to many of the stores. "There is far less planning existence on existing sites than on new sites," he said. Tesco is contributing the

Beaumont Leys centre in Leicester, the Kingston Centre in Milton Keynes, the Weston Favell centre in Northampton, two Northern Ireland properties and a retail park in Bury. Mr Ribbles said that both partners had pre-emption rights over the outstanding interest, should one partner decide to sell.

## Millennium set to develop niche in conferences

By JON ASHWORTH

CONFERENCES are poised to become a major money-spinner at Millennium & Copthorne Hotels, the four-star business hotel group in which CDL Hotels International of Singapore holds 35 per cent.

Shares in the group rose 19p to 508p yesterday, on pre-tax profits up 32 per cent to £50.2 million (£38 million) in the year to December 31. Turnover increased 22 per cent to £202.6 million (£166.2 million).

Kwek Leng Beng, chairman of Millennium, said 1997 had seen significant organic growth through streamlining operations, improving margins, and establishing a niche in the conference market. The economies of the UK and America remain strong, while France and Germany have improved. Millennium hotels were not experiencing any measurable dilution of business from Asia.

Mr Kwek said the group would continue to focus on yield management and cost control, and was confident of being able to grow revenue through higher room rates. Further acquisitions are likely.

Mr Kwek said: "We remain committed to growing by expansion, and will look for opportunities so that Millennium & Copthorne enjoys economies of scale and widens its international coverage."

John Wilson, former chief operating officer of Hilton International, was installed as chief executive of Millennium & Copthorne in January.

Earnings per share were 25.9p (23.7p). A final dividend of 5.8p a share (4p) makes a total of 8.6p (4.7p) a share for the year.



Kwek: significant growth

## Gates offers concession to ease pressure over Internet

FROM OLIVER AUGUST IN NEW YORK

BILL GATES, the Microsoft chairman, offered a last-minute key concession on the eve of a congressional hearing on his company's monopoly in the software sector.

Internet service providers having contractual relationships with Microsoft will be allowed to promote Internet browsers made by Mr Gates's competitors, he declared in an effort to soften political pressure. Mr Gates will be interviewed by the Judiciary Committee today.

Brad Smith, Microsoft's general counsel, said: "We

look at our contracts with an eye to what might be a cause of potential concern. We addressed those concerns."

Microsoft is being prosecuted by the Justice Department for anti-competitive practices in the Internet sector. The company has been on the defensive since the first court battle in December but has so far rejected moves to limit its ability to market the Microsoft Explorer Internet browser.

The rewriting of Microsoft's contracts will affect around 40 Internet companies worldwide. In future,

they will not have to choose between Microsoft and Netscape, the current market leader. But they still cannot promote the Netscape Navigator more heavily than Microsoft's Internet Explorer. A Microsoft spokesman said the new policy should ward off any complaints about cross-promotional agreements. Mr Gates yesterday sought to calm investors' fears that the launch of Windows 98, the operating system to replace Windows 95, Microsoft's main breadwinner, will not be delayed.

## FOREIGN EXCHANGE RATES

	Bank	Bank
	Buy	Sell
Australia \$	2.59	2.58
Austria S	21.92	20.83
Belgium Fr	64.78	59.80
Canada C\$	2.492	2.484
Denmark Kr	0.27	0.266
France Fr	11.37	11.08
Germany DM	16.55	16.55
Hong Kong \$	10.47	9.88
Italy Lit	3.15	2.91
Japan Yen	163.8	163.8
Norway Kr	13.83	12.43
Sweden Kr	1.17	1.17
Switzerland Fr	1.31	1.31
Taiwan NT\$	1.28	1.17
UK £	6.30	5.88
USA \$	2.115	2.078
Yen	225.16	204.65
Mark	0.988	0.927
Netherlands Gld	3.54	3.28
New Zealand \$	2.37	2.79
Norway Kr	15.07	12.13
Portugal Esc	20.48	20.48
S Africa R	3.15	7.80
Spain Ptas	204.48	245.70
Sweden Kr	15.07	12.13
Switzerland Fr	1.31	1.31
Taiwan NT\$	1.28	1.17
Turkey Lira	365.11	365.11
USA \$	1.760	1.677

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

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# Dedicated followers of fashion



COMMENTARY  
by our City Editor

Ian Strachan has had a miserable couple of years trying to persuade the City that he knows what to do to make sense of BTR. He could talk a good strategy and did, repeatedly and often with the aid of extensive flip charts. Walking it was a different matter.

Yet the immaculately coiffured Strachan stuck to the path he had mapped out and now the destination is in sight: BTR, the purposeful engineering group, is about to appear.

Now Incheape, too, is opting for the fashionably streamlined look, dividing itself up in a way that highlights attractions which have been previously overlooked. The company's share price would surely not have languished for so long had more investors been aware that Incheape is big in Coke bottling in Chile and Peru.

Perhaps there will come a time when conglomerates are not turned as mere testimony to unbridled ambition but there is no current sign of the concept being rehabilitated. So Mr Strachan has devoted himself to biding out of an assortment of businesses and yesterday won City applause for the price he achieved on a job lot of packaging operations. Del Boy himself would have been impressed with the deal. But would he have been so enamoured of Mr Strachan's decision to hand back most of the £2.2 billion to shareholders?

Share buybacks are currently

as fashionable as conglomerates once were. Incheape can now be added to the list of those planning such a move to chivy favour with shareholders. Yet there is an element of defeatism in a company admitting that it cannot think of anything to do with the cash that would earn a decent return for shareholders.

Adventurous managers are already turning their attention to the Far East and looking for opportunities to go bottom fishing in markets where companies are beginning to look cheap.

There would surely be bargains for BTR to bolt onto the engineering business which is now its raison d'être. Those who opt for the slimming approach must beware of anorexia. Mr Strachan has not yet been so cowed by City criticism that he has succumbed to this — last year he bought Exide Electronics for £361 million — but he needs to build what is left of BTR.

Embarking on that course should ensure him a job for the future. The most notable aspect of Philip Cushing's strategy for Incheape is that it does away with the need for him or his finance director. An unusually selfless play at a time when multi-billion pound deals

founder on the job prospects of a chief executive.

But Cushing is clearly confident that his achievements at Incheape will ensure that another role will be waiting for him — and his game plan does allow him 18 months to line up the perfect post. Jan Leschly may have been less confident of finding a job which could reward him on the scale that he has become accustomed to at SmithKline Beecham.

## Sir Brian is Next in line

Who better to be the next chairman of Next than Sir Brian Patten? His name is the one that automatically springs to mind when thinking of the most nattily dressed man in the City, but Sir Brian has been very close to super-model Naomi Campbell. The moment was brief, but

affectionate, and certainly made an impression on those who witnessed it.

By the standards of many boardroom appointments, that encounter makes Sir Brian very well qualified to move into the chair at the fashion chain. If a spell as the boss of Britain's railways can lead — disastrously — to the chairmanship of Seas, Sir Brian may even be over-qualified. Nominations committees, egged on by headhunters, saw nothing wrong with putting senior lawyers and former journalists into the top jobs in British banking, although experience may ensure that real live bankers are given priority when the jobs come round again.

By contrast, the appointment of Sir Brian as a successor to Lord Wolfson of Sunningdale is truly inspired. At Lloyd's TSB he has demonstrated a resounding determination to stick to what the bank does best and to bear in mind what customers want. If he

can ensure that Next abides by the same policy, the retailer stands every chance of continuing the remarkable run that it has had in recent years.

The double act of Lord Wolfson, now installed in the chair at his family firm, GUS, and David Jones, the chief executive, has taken Next to sales which, in terms of density and reliability, come closer to Marks & Spencer's achievements than any high street rival. The innovative George Davies made Next a household name but almost killed it with his wild ambitions for the brand. Wolfson and Jones brought it back from the brink, building on the loyal customers Davies had wooed but keeping their eyes firmly on the bottom line rather than the headlines.

Sir Brian is the ideal choice to continue that success. He will not have wild ideas about making Next a huge force in financial services: he knows that banks can do that perfectly well, if they

are properly run. The arrival of a new chairman in May is not before time. Although both Wolfson and Jones have insisted that there is no conflict of interest in Wolfson chairing both GUS and Next, others have perceived that the two organisations do have more than a little in common: both sell clothes and both use catalogues.

## Preying on the shareholders

Judge Doreen Le Pichon of Hong Kong seemed shocked to find that Peregrine Securities UK paid out about £5 million in bonuses, four fifths of its 1997 profit, while its parent group was going spectacularly bust.

Nearly half was earmarked for eight directors. But the judge had to admit this was in one sense moderate for PSUK. Bonuses had absorbed 90 per cent of the smaller 1996 profit.

To hardened observers of investment banks, however, the judge's strictures over Peregrine would seem fairly routine. Senior folk in profitable parts of Barings pocketed millions in bonuses while owners of Barings debt and charities were left in the

lurch. Barings had been bought from the receivers by ING which wanted to keep key staff and insulated them from disaster. Much of PSUK was taken over by Spain's Grupo Santander, including nearly all the directors, but the judge felt the legalities were not so clear-cut.

At least FSUK made profits. Even when a business is being closed to stem losses, as at NatWest, there can be staggering contractual bonuses to meet. Such a contradiction shows that owners of these self-help groups are out of their depth.

Public companies are playing against partnerships such as Goldman Sachs and private firms on terms that can make nonsense of duties to shareholders. Those who demand riches should carry the risk that goes with it, not be mollified. Investment bankers have become overnight subjects.

## Pay bonanza

SIR Desmond Pitcher was clearly in generous mood when he agreed the deal that brought Derek Lewis a £3 million pay cheque last year. Vertex has done little more than United Utilities did for itself before its creation, since with only one exception, it failed to win any outside business. No matter, Mr Lewis collected his bonanza. Another case of shareholders being seen as generous providers from whom others can profit...

# Billiton takes cautious stance over investment

By CARL MORTIMER, INTERNATIONAL BUSINESS EDITOR

BILLITON, the mining and metals group, warned investors yesterday not to expect rapid progress in investing the company's \$1.7 billion (about £1 billion) cash pile in the distressed base metals market.

Brian Gilbertson, chairman, said the company was well advanced in evaluating several projects, including privatisations in Venezuela, Colombia and the Congo but he added: "I am aware that expectations of some imminent new investment are high. However, we will only invest where shareholder value is created. Nothing less will be considered."

Mr Gilbertson said that the Venezuelan Government had imposed a labour standstill on

the privatisation of the 600,000 tonne per year Puerto Ordaz aluminium complex, making it difficult to achieve its full potential for years. In addition, potential investors are expected to spend \$300 million on environmental improvements plus a further

Tempus — page 30

\$300 million on a maintenance backlog.

Shares in the mining group gained 6 per cent to 158p as it revealed a 47 per cent rise in attributable profit in the first half to \$249 million.

Much of the advance was because of a strong performance from aluminium which

contributed \$139 million compared with \$88 million in the same period last year, mainly through stronger aluminium prices.

However, Billiton's stake in Ingwa Coal and Samancor, the steel and ferro-alloy business, suffered from weak commodity prices. Ingwa's profit contribution fell from \$33 million to \$23 million in the first half.

The company said yesterday that weak commodity prices had created more difficult conditions but indicated that most of Billiton's businesses were at the low end of the cost spectrum.

David Munro, head of the aluminium business, said that demand was stable for the metal but destocking in the Far East was having an effect

on the Japanese price premium. He said: "Some metal that we would normally expect in the Far East is heading for the US."

Billiton sold forward some 170,000 tonnes of aluminium at prices of \$1,600 per tonne, representing 20 per cent of annual production.

Billiton's gearing at the end of December was nil and liquid resources rose to \$1.7 billion.

The company is soon to make an investment decision on the Mozal project, a 245,000 tonne aluminium smelter in Maputo, Mozambique, which is expected to cost \$1.25 billion.

Billiton is paying a maiden interim dividend of 3.5 US cents per share.

## Pearson law publisher sold for £70m

PEARSON, the information and publishing group, has sold its specialist law publishing business to The Thomson Corporation for £70 million. FT Law and Tax titles include Wilkinson's Road Traffic Offences and The Solicitor (Raymond Spoddy writes).

At the same time yesterday Pearson announced the formal creation of a new Financial Times group designed to provide news, analysis, comment and management development.

Stephen Hill, chief executive of the Financial Times newspaper, will become chief executive of the new group.

Pearson has already announced plans to spend up to £100 million on the Financial Times over five years with particular emphasis on the US market.

## Perkins sells fruit and veg division

By ADAM JONES

SHARES of Perkins Foods rose 15p to 180p yesterday on the news that it is to pull out of fruit and veg and return £45.4 million to shareholders. It also appointed a new chief executive.

Perkins' fruit-and-veg distribution division is being sold to Greenery International, part of the Dutch fruit and vegetable producers' co-operative, for about £127 million in cash.

Perkins believes the fruit-and-veg business is going to face much stiffer competition. Ian Blackburn, deputy chief executive and finance director, said the deal would allow Perkins to plough more money into higher-margin areas such as ready-made chilled meals.

The disposal price was more than 14 times the division's post-tax earnings and will leave Perkins with too much capital. The resulting £45.4 million share buyback, which

is dependent on the disposal being cleared by shareholders and by Dutch regulators, will mean a payment of about 25p per ordinary share and 22.8p per preference share. One share in five will be cancelled.

The effect of the buyback — plus a forthcoming acquisition in France and head office cuts — means that 1998 earnings should not be diluted by the disposal, Mr Blackburn said.

Mr Blackburn will succeed Howard Phillips as chief executive of the group when the latter retires in May. Perkins also reported yesterday that pre-tax profits in 1997 rose 19 per cent to £28 million, despite a £4.2 million currency hit.

Turnover rose 34 per cent to £626.8 million. A dividend of 2.8p will be paid on April 28, making a year total of 4.6p.

Tempus, page 30

## Recovery for Graham at the double

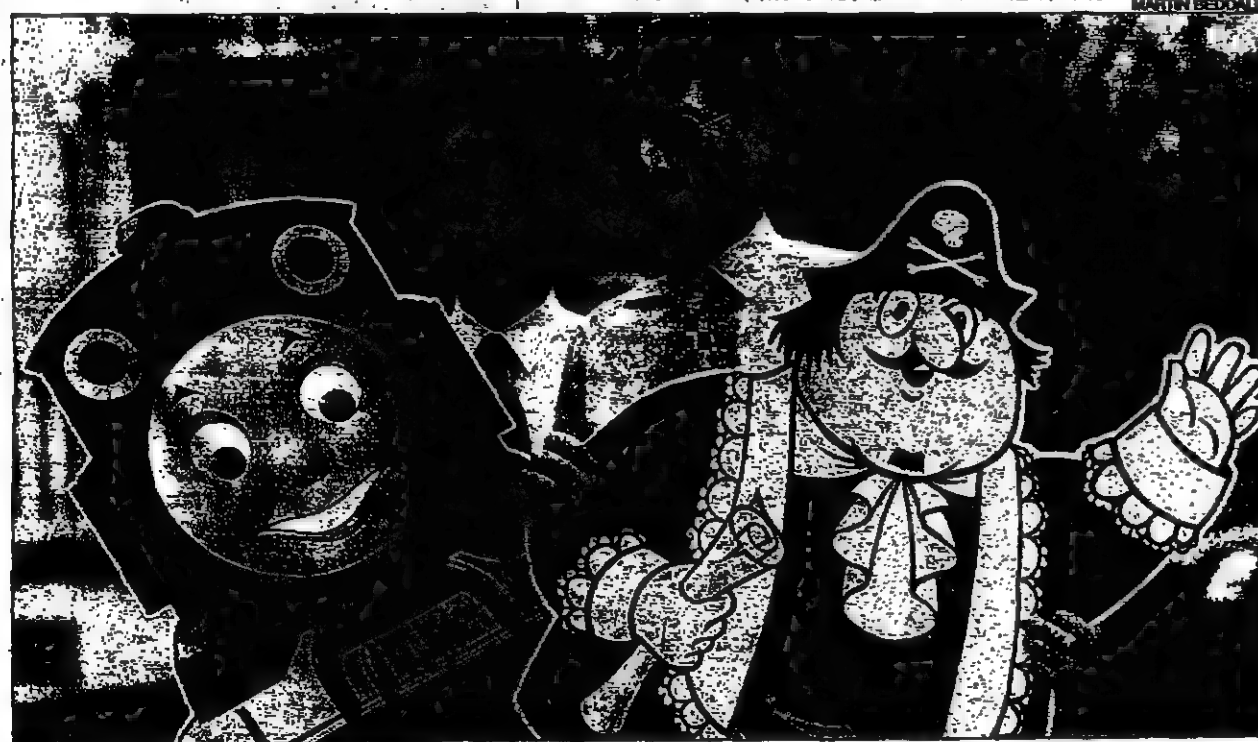
GRAHAM GROUP, the builders' merchants, recovered from a poor 1996, to nearly double profits in 1997 (Adam Jones writes).

Profits before tax recovered from £10.7 million in 1996, when Graham was hammered by a downturn in housebuilding, to £21.3 million in 1997.

Turnover slipped from £533.9 million to £530.8 million, however, reflecting Graham's major presence in Scotland, where the housing market recovery has been slow.

Ian Mills, chief executive, said the recovery was helped by a scheme whereby all 3,500 Graham employees received three days' residential training.

A dividend of 4p per share will be paid on May 5, making a total of 6p (£7p) for the year.



Tim Hilton, left, and William Harris, Britt Allcroft directors, with Thomas the Tank Engine and Captain Pugwash

## Britt Allcroft near Thomas deal

By RAYMOND SPODDY, MEDIA EDITOR

BRITT ALLCROFT, the children's entertainment production, distribution and licensing company best known for Thomas the Tank Engine, is close to a deal to buy the master rights to Thomas from Reed Elsevier.

Britt Allcroft and Egmont, the children's publisher, have

jointly bid £26.5 million for the rights after talks between Reed and Penguin broke down.

Britt Allcroft would own television and other related rights for which it would pay a licence fee of £2 million a year. Egmont would get the publishing rights to the Thomas books.

Britt Allcroft already has

an exclusive licence of the worldwide television, video and character-licensing rights until 2011.

The company is also thought to be in talks with Guinness Mahon, the merchant bank, to buy the rights to the children's television character Sooty.

Britt Allcroft reported a 27 per cent rise in pre-tax profits,

to £1.21 million, for the half year to December 31. Earnings per share rose to 3.25p from 2.86p. The interim dividend rises to 0.7p, from 0.6p.

The company also said yesterday that agreement has been reached to license a Thomas area within a long-established theme park on the lower slopes of Mount Fuji, Japan.

## Merrill makes first changes at MAM

By RICHARD MILES

MERRILL LYNCH, the US investment bank, has made the first changes to the management team at Mercury Asset Management (MAM) since it bought the company for £3.1 billion last November.

The head of MAM's fixed-interest division, Charles Jackson, has been supplanted by his direct counterpart at Merrill, Tim Manna. A further 20 appointments at the same level are expected to be announced during the next few weeks.

A letter sent to pension consultants last Friday says Mr

Jackson, who has been head of MAM's fixed-interest division for 13 years, has been given the newly created role of head of new product development.

Mr Manna is bringing across at least five of his colleagues from Merrill's fixed-interest division.

Mr Jackson said: "I would like to emphasise that the combined group is fully committed to maintaining a top-rated fixed-interest capability."

Pension consultants interpreted Mr Manna's appointment as the first dabbling by Merrill in MAM's business.

## More jobs to go at British Polythene

By KATHY LIPARI

BRITISH Polythene Industries, the plastic bags manufacturer, yesterday blamed difficult trading conditions, restructuring costs and sterling's strength for a 17 per cent slide in annual pre-tax profits.

BPI said that further restructuring would be needed, involving the loss of up to 200 jobs, as it reported 1997 profits of £23.2 million, down from £28 million in 1996. The results were below expectations and the shares fell 25p to 451p as analysts cut current-year forecasts.

Cameron McLachlan, chairman, said he believed that last

year's results were a temporary setback. However, the stretchwrap market remained tough and had margins of 2 to 3 per cent, a slight improvement on last year.

Mr McLachlan said that he was optimistic of profit growth in the current year. However, analysts are now looking for a full-year profit of about £28 million, instead of £30 million.

Turnover for 1997 was 10 per cent up, at £454 million. Earnings per share fell to 41.2p from 47.07p. The final dividend rises to 13.6p (12p), lifting the total 10 per cent to 20.1p.

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# Chancellor proves he can be resourceful

The Treasury is not noted as one of the more shrewd and retiring arms of the Government. Yet, with none of the usual fanfare, Gordon Brown is next month set to emulate Gladstone by taking up in Whitehall behaviour in over a century.

The reform in question is the introduction of resource accounting to Whitehall departments. The subject is regarded as so dry that even a department that regularly delights in its fiscal transparency codes cannot manage to get excited. Far beyond the private sector accountants who look set to enjoy a public sector employment boom will be toasting its introduction, which represents the biggest change to public accounting for 130 years.

Resource accounting is a move towards the system long used by business that takes into account the movement in the value of assets as well as basic expenditure. The existing cash accounting system, which was introduced by Gladstone and laid the foundations for financing the mod-

ern state, is now looking decidedly long in the tooth. Cash accounting simply provides for a budget to cover running costs each year. Resource accounting adds an extra dimension, providing information on the use of assets and enabling departments to analyse expenditure according to departmental objectives.

The introduction of resource accounting forms a vital plank in Mr Brown's plan to overhaul the public finances. The Chancellor has made clear his determination to redress the Treasury's deficit, and health and education without substantially raising taxes or increasing the deficit. Resource accounting is the vital tool for ensuring an orderly programme of asset sales to raise new funds.

The Treasury has already given the country a taste of the potential for a new round of government sell-offs with the publication of the *National Asset Register* — dubbed the modern Domesday Book — in the autumn.

This information forms a

central part of the new accounting system and will enable the Government to identify superfluous or inefficient assets for disposal. Curiousities abound: the Ipswich Town football club car park owned by the Inland Revenue; the Home Office's personal stud farm and even Newton's apple tree at the National Physical Laboratory.

Accountants have had trouble placing a fair value on the huge range of assets — how do you value a former Napoleonic War bunker now storing toxic waste? — but the best estimates place the Government's assets in the region of £200 billion to £300 billion.

Asset-rich departments — headed by the Ministry of Defence that owns about 90,000 assets — are likely to come under intense pressure to launch a big sell-off. For the moment, the Treasury is try-



ing to encourage an orderly disposal of assets by allowing departments to keep proceeds of up to £100 million, as long as the money is used for investment purposes. However, after 2001, the money will revert to the Treasury and there is likely to be a substantial redistribution of funds to the Government's target departments. Mr Brown wants to make sure that Whitehall's assets — in business parlance — sweat.

The underlying aim is to change the prevailing Whitehall culture. The existing cash-based system locks departments into a zero-sum game where each department battles against each other to win the largest sum possible from the Exchequer. Under the new system, departments should be able to look further ahead and make a clearer assessment of their needs. The

Treasury will be able to set the kind of medium-term targets that businesses use and clearly show how it intends to shift funding towards health and education, without undermining the efficiency of other departments.

The Government's performance will also be easier to monitor with the Office for National Statistics already preparing a new measure of public sector output expected to be introduced early next century.

Few can question the potential positive impact of this set of reforms. However, as with most of the Government's best laid plans, the implementation is proving a touch more difficult. The introduction of the new system is tied to a tight deadline that will see departments making a practice run in this financial year, followed by running the two systems in parallel in 1999-2000. By the financial year 2000-2001, the new accounting system should be fully operational in Whitehall.

The National Audit Office last week gave warning that at best a third of all depart-

ments had not yet put in place the necessary computer systems and that limited progress had been made in defining departmental aims and objectives. Two departments, the MoD and the Department for Transport, Environment and the Regions, came in for particular criticism with the NAO indicating that they will miss the April 1 deadline.

The danger is that the rush to meet the deadline will hurry the Government into hiring private sector accountants, in much the same way as the drive to introduce business thinking into policy-making led to a boom for management consultancy.

The accounting profession, which until now has been largely excluded from Whitehall, can barely conceal its glee at the reform which finally makes its skills compatible with government accounting rules. The Treasury needs to establish guidelines on Civil Service use of private sector accounting skills quickly, if the benefits of the new system are not to be squandered on expensive private sector firms.

# Unstable exchange rates pose threat to industry worldwide

Whether or not we eventually join EMU, industry needs the most stable link possible between the pound and the euro, at a competitive rate for the pound. There must be some scope for adjusting rates, or we might as well be in EMU; but it is impossible for industry to plan its future investment or operations in Europe effectively when the pound is as erratic as it has been since we left the ERM.

However, any formal link with the euro must start with the pound at a realistic level that puts UK industry on an equal footing with continental producers. Other members of the EU who are not in EMU also need such a link, particularly those who intend to join later.

There already exists a framework for linking the ins and outs — the ERM. Unfortunately, it has become discredited in British eyes since the Black Wednesday fiasco, when speculation drove the pound off its parity. However, given the need for some such mechanism, we need to consider carefully why the ERM failed and how a new framework might be made more effective.

The basic mistake in the case of the UK was to join when the pound was at an uncompetitive rate of DM2.95. After its initial fall when we left the ERM, the pound has again floated up to an unsustainable level, approaching three marks, which the National Institute and Goldman Sachs estimate to represent a 20 per cent over-valuation. We should not enter any new stabilisation arrangements with the pound any higher than around DM2.50.

The weakness of the ERM in its latter days was that the participants were unable to agree on changes in parities when they were needed; and at the same time, there was no effective agreement for defending the official parities when

The single currency starts without us. But for Britain to thrive, argues John Grieve Smith, there must be an effective ERM



After the ERM's failure when Norman Lamont, left, was Chancellor, Gordon Brown must consider a new framework

they came under attack. In practice, any such defence depended on decisions by the Bundesbank.

Any effective new system must provide for agreement on adjustments in "central rates", when required, and then for automatic support for the agreed parities when needed. This may be particu-

larly important for new entrants to the EU. In any new system, there must be official parities between each participant and the euro, but these should be considerably narrower than the present plus or minus 15 per cent, say plus or minus 2.5 per cent.

To minimise the potential gains from speculation,



changes in parities should be small and relatively frequent, rather than large and infrequent. (There is a parallel with the way the Bank Rate is now set, with regular monthly meetings and 0.25 per cent changes.)

Exchange rates should be reviewed by a sub-committee of Ecofin at regular monthly

or quarterly intervals, with a limit to the size of change at any other time.

For example, a limit of, say, 1 per cent on monthly changes should allow ample scope for adjusting for different rates of inflation between members. With changes limited in this way, the new central rate would

always lie within the previous band, so that there would not necessarily be any further overnight fall (or rise) when the central rate went down (or up), thus reducing the scope for one-way bets against a currency that are so profitable when sizeable devaluations occur.

Provision for automatic support to keep rates within the agreed bands would depend primarily on action by the European central bank and the Bank of England, unless a special stabilisation fund was set up for this purpose. Either way, the European central bank would inevitably be in a powerful position. But an obligation to provide support for currencies under pressure would give it a strong incentive to support changes needed to keep exchange rates at realistic levels.

The euro/sterling problem is a microcosm of the wider global problem of how to ensure greater exchange rate stability. The creation of the euro as one of the major world currencies should give impetus to a new initiative to stabilise exchange rates on a global scale.

A little while ago the emphasis would have been primarily on the relations between the dollar, the yen and the euro (cum sterling). But the Asian crisis has created an urgent need to stabilise exchange rates on a wider basis. The recent depreciation of Asian currencies is creating debt and trade problems the magnitude of whose ultimate effects has yet to be seen.

The perils of unstable exchange rates when finance and industry operate on a global scale are becoming acute.

For Europe and the world economy, the pressing problem is to find an effective exchange rate mechanism that lies between the extremes of complete currency union and freely floating rates.

# One-horse town

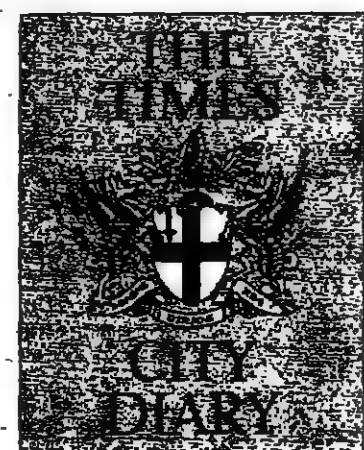
AS SLOWLY and inexorably as the Horse of the Year Show, the City's elections for a house of sheriffs come around again. One comes from the court of common council, the lay candidate if you like, and one from the ranks of the aldermen, those worthies who, if they keep their noses clean, can one day expect to become Lord Mayor. As in North Korea, Iraq, the old Soviet Union and other areas with a strong democratic tradition, the powers-that-be prefer there to be just two candidates for the

two posts, thereby sparing the electorate the agony of making a choice. The fun comes when someone else tries to shoulder-charge their way in. This year's establishment candidates so far are Gavin Arthur, from the Aldermen; and Brian Harris, former chairman of Richard Ellis, from the court. But the election is not until June 24, so there is plenty of time for outsiders to appear. We can, alas, write off Dennis Delderfield, who withdrew from the race last year after telling a Guildhall audience what he thought of the system. Which leaves Tony Bull, who has crossed the system before, and won. He is not saying much at present, but many in the City hope he will stand.

● I FEAR my old friend Tim Steer is causing trouble again. Steer, who by a circuitous route has reached Merrill Lynch as an analyst, is having a feud with Corporate Services. He is negative about the firm, which still seems to be doing rather well. And Steer has a new nickname at Corporate Services: Bum Steer.

## Sits vac

YOU can imagine my delight at the news that Jonathan Aiken, who was



so cruelly tormented by the media last year about some entirely understandable lapses of concentration, has found a solution to his financial problems at GEC Marconi. On reflection, there is something so inevitable about Jonathan Aiken restoring his fortunes by flogging things that kill people to corrupt Third World countries for use on their own people that one wonders why no one thought of it before.

But it sets me to pondering what other obvious career moves await the great and the good fallen on hard times. Peter Mandelson, in post-Millennium Dome disgrace, would make a perfect downmarket newspaper columnist, "the voice that every politician fears". Still, Geoffrey Robinson could become a tax consultant

to the cocaine cartels. But Lord Irvine, if banned from the law? Little William Hague? Sensible suggestions for them and their ilk, please. I may even publish the good ones.

## Risk business

NATWEST has hired William Martin, a polyglot American and former head of global risk management at BZW, as director of group risk. NatWest bristles at my suggestion that it is picking up Barclays' leftovers. "Bill oversaw the transition to Credit Suisse First Boston, and he was doing that when this job came up," says a spokesman. Just one thing. If the two banks ever merge, then Martin will be back where he started. But as a risk manager, he should know all about that.

● SIR RONNIE HAMPEL, the sculptor of corporate governance guidelines, received a little £61,000 pat on the back from ICI for his own upstanding behaviour. He was unable to exercise share options while negotiating the purchase of Unilever's speciality chemicals, discussions that were a mite price sensitive. So ICI had to compensate him.

## Potty trained

PIERS POTTINGER is to be the new Michael Cole, official mouthpiece of Mohamed Al Fayed. Presumably he

did not have much choice, because his employer, Lowe Bell, acts for the State of Brunei, which is not an account you want to lose, and... well, the link between the Sultan and Al Fayed temporarily evades me, but I am sure there is one.

Piers Pottinger. Hmm, which anecdote to choose. Anyone remember the little *pas de deux* he used to do at the City's annual charity concert? Wasn't it a pink ladies' swimming costume and plastic bath-cap? Synchronised swimming, to Ravel's *Bolero*? Once seen, never forgotten, at least not without lengthy psychiatric treatment. Better still, anyone got photos?

MARTIN WALLER



"Howdy — come to read your electricity meter"

## MARKETING

# Holy Grail of sales and press coverage

The public relations industry is not known for giving straight answers. But even public relations officers find it difficult to explain away some recent figures that suggest the gulf between the perception and reality of a company performance is widening.

Figures due out this week from *The Presswatch Quarterly* will confirm Tesco as having the most favourable coverage of any company in the UK press throughout 1997. No surprises there.

What is astonishing is that Sainsbury's has risen to number three: a considerable achievement given that last year the group was near the bottom, having issued its third profits warning. Its ascent can, in part, be attributed to the successful launch of its bank in the third quarter. The favourable publicity of this affected the fourth quarter, putting it temporarily at the top of the table, before yielding to Tesco in the final analysis.

Perception and reality are clearly out of kilter here. Sainsbury's overall performance has improved, but not by that much. At 15 per cent share, Tesco is still the market leader by 1.7 percentage points, according to Taylor Nelson AGB. Sainsbury's PR machine has obviously been hard at work.

This brings to mind Virgin, another company skilled at PR. The image of the Branson empire portrayed in the tabloids does not accurately reflect its true state of health. Glowing reports, usually accompanied by a picture of Richard Branson, hide the somewhat fragile state of affairs that is gradually being disclosed in the financial pages. The Virgin PR machine is running so fast it is in danger of overlooking one of Branson's late-running trains. Sainsbury's, in contrast, is failing to match its hyperbole.

Until an effective link can be found between PR and performance, then PR will continue to be less important than other marketing devices, such as advertising or sales promotion. The situation has prompted the Public Relations Consultants Association to go on the PR offensive. It is holding seminars explaining the benefits of PR to senior clients. At the top of the agenda is the need for precise evaluation of campaigns and a uniform method of measurement. "Measurement is the hot topic,"

says Christopher Broadbent, chairman of Amsdell Group. "We'll never reach the heights to which we aspire until we have that particular issue ticked."

Reflecting industry concerns, *PR Week*, the trade magazine, has launched a campaign — *Proof* — urging PR companies and their clients to put aside 10 per cent of their budgets to pay for research to prove that PR campaigns are achieving their objectives. While companies are willing to pay large sums to research advertising campaigns they balk at paying similar amounts to assess the impact of their PR. Until this changes no one will be any the wiser about effectiveness.

"You've got to be able to do more than just weigh up the press cuttings," Stephen Farish, editor of *PR Week*, says. "The biggest problem the industry faces is not being able to find a link between press coverage and sales. It is, if you like, the Holy Grail."

At the end of the day are we able to read anything at all into PR performance figures? Sandra Macleod, managing director of Camra International, which analyses public relations media coverage, says it takes time for the perceived image of a company to match the commercial reality. Take Reuters, for example: two months ago it topped *Management Today's* table of the UK's most admired companies' survey. That rating will surely change as the full cost of its contretemps with Bloomberg becomes clear.

Macleod cites Tesco's position in 1993 as an example of how confusing PR can be. For a time the consumer and financial press told different stories. Tesco's products and services continued to gain plaudits in the consumer press, while the financial press was questioning the soundness of its management and strategy. Eventually, the investment community became disenchanted and Tesco's share price plummeted.

Five years on and Tesco is in the remarkable position of having both the most successful PR and market leadership: a fact that will doubtless be seized upon by the PR industry as proof that PR does indeed work.

JULIAN LEE

# LAW 39

## Surround of Appeal

## Appeal

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Belief in business angels is growing despite the high-risk aspect to investments, says Rodney Hobson

## Bank joins search for heavenly connections

Lloyds TSB has joined the list of sponsors bringing business angels and companies seeking equity funds together through the Local Investment Networking Company (Linc).

There are now four banks supporting the non-profit-making organisation. Midland, Barclays and Royal Bank of Scotland are long-standing supporters. Kingston Smith, the chartered accountancy firm, is also a sponsor. NatWest Bank has its own business angels scheme, NatWest Angels Service.

Linc was set up in 1987 to match private investors with companies seeking equity funding of between £10,000 and £250,000 for business growth.

Currently it has nearly 400 registered investors on its database, with more than £100 million available for investment. Last year it achieved 42 matches involving £5 million of equity.

Lloyds has been referring suitable companies to Linc from its branches. Last year the bank produced a guide to private finance and business angels to answer the myths



Susan Krantz says the "angels" concept is gaining strength

that it felt were discouraging companies from seeking equity investment. The response from customers prompted Lloyds to back Linc formally.

John Spence, managing director of business banking at Lloyds TSB, said: "Research we commissioned privately shows that as many as one in ten small businesses has considered private finance, but, of these, two thirds take it no further."

"Business angels are an

important but underused source of skills and funding," Susan Krantz, Linc general manager, said. "The investments are high risk, but you could become a significant shareholder in a growth business with the opportunity of achieving high rates of return and also have some fun and satisfaction helping a business to grow. It should appeal to entrepreneurial types."

"The business angels concept is gaining in strength.

When you consider that very few marriages are made in heaven, the success rate of the matches we have facilitated is excellent."

Linc organises meetings around the country at which four to six companies each make a 25-minute pitch before 20 to 30 potential investors. Time is left at the end of the meeting for an informal chat.

The next meeting will be held at Kingston Smith's London office on March 12. In addition, several commercial organisations including Venture Capital Report match business angels with companies.

David Beer, a former director of BZW, set up Beer and Partners as private equity investors at Dorking, Surrey, three years ago. In 1995, he managed just four deals, but the total rose to 11 in 1996 and to 18 companies attracting investment capital of £4.2 million last year. Mr Beer believes that there is an enormous untapped market. Deals averaged £227,000 per company, but they varied from £19,000 for a wine retailer to more than £1 million for an outdoor display system. Among businesses supported were software companies, a kit car manufacturer, an arts centre and a window-cleaning company.

Mr Beer said: "Almost any company that demonstrates that it understands its business, and what a private investor can add, can raise venture capital provided the business is presented in the right way."

"This is not a market for amateurs, but for those with both a wide contact base and the experience to identify what an investor is looking for."

Linc claims that more investors and fledgling companies report back that deals have been mutually beneficial than was the case only three years ago and that in 62 per cent of cases funds are handed over within a month of the first meeting between the two parties.

## Financial backers keep a low profile on deals

NO ONE knows how many business angels there are, since many deals are done on an informal basis (Rodney Hobson writes).

The British Venture Capital Association (BVCA) estimates that there are about 5,600 angels registered with various networking groups, while the Bank of England suggests that the total, including those who do not register, could be as high as 18,000. Other guesses range up to 80,000. Research indi-

cates that about 60 per cent of angels are found through family and friends.

Nor is it known how much the angels invest each year. The BVCA reckons 373 of the networked angels put up £19 million in the 12 months to June last year. It is possible that angels have staked about £500 million in more than 3,000 businesses.

There could be between another £2 billion and £4 billion available if angels can be persuaded to invest. David Harvey, secretary

to the Association of Chartered Certified Accountants' small business committee, says: "The environment for fundraising, especially for smaller companies, continues to be testing, and enterprises looking for between £20,000 and £150,000 have the toughest time."

"Finding an angel is easier said than done. Most business angels value their privacy. No one wants every Tom, Dick or Harry with a half-baked business proposition knocking at the door."



Richard Whiteley, general manager of Lo Tec Pieman, left, with Toby Cardew, designer of the portable workbench

## From hippy to DIY inventor

I wasn't very good at being a hippy," says Toby Cardew. "I was too industrious."

Taking to the open road in a caravan was just one change in a highly varied career that led him, ultimately, to manufacture an ingenious device for do-it-yourself enthusiasts.

Mr Cardew recalls his career path, saying: "I was running a group of restaurants in London and working 110 hours a week. One day I was out walking when I met a chap who told me to get out of London before it killed me. So I baled out and went on the road with hippies in a caravan."

When being idle palled, Mr Cardew went to design college and learnt how to make furniture. He admits: "I was very slow. I spent longer trying to hold the piece of wood down than I did actually working on it. It occurred to me that, since no one pays you for holding something, anything that cuts out that wasted time goes straight

to the bottom line." Mr Cardew set about inventing a portable, vacuum-powered workbench that would grip wood, glass, ceramics and other materials. It proved to be more flexible and easier to use than the traditional vice or clamp.

He negotiated with Black & Decker, which was interested in the idea, but he finally decided he did not want his invention to go out on to the market with someone else's brand name on it.

Mr Cardew was living in the Wiltshire village of Newton Tony. He says: "I raised money from relatives. Everybody in the village I owe money to."

Crucially, he also raised capital for his company, Lo Tec Pieman, from Lloyds Bank and Linc, which introduced him to Martin Crowe, a business angel. Lloyds lent £20,000 through a debenture, while Mr Crowe invested £15,000 last November. Venture capitalists offered larger investments, but that would have meant Mr Cardew losing control of the business.

Mr Crowe says: "I saw this device at a Linc presentation day in Swindon. For me it had what I would call a very big 'wow' factor. I think it has tremendous potential and we very quickly came to an agreement for me to invest some equity."

He was so keen, in fact, that he goes out on the road to shows and exhibitions demonstrating the product. This month Mr Crowe will be at a trade fair in Nuremberg.

The original invention costs £450, but Mr Cardew has produced a smaller version selling at £89 and working off the power of a vacuum cleaner. Export markets have been won in the US, Scandinavia and Australia and negotiations are taking place to grant a licence to an American manufacturer.

Mr Cardew says: "It has been something of a rollercoaster ride, but potentially we have a very successful business. I am still living in the caravan, next to the workshop."

Small businesses are worried that plans by Gordon Brown, the Chancellor, to make employers pay welfare benefits through the wage packet will place an intolerable administrative and financial burden on small employers, according to the Federation of Small Businesses. The federation will hold its first national exhibition at Wembley Exhibition Centre, London, from Thursday to Saturday.

More than 30 case studies of small companies that have used information technology to expand are included in *Demonstrating the Benefits*, a free booklet from the Information Society Initiative (ISI), a partnership between business and the DTI. For a copy or for other leaflets produced by the ISI, call 0345 152000.

Local business partnerships have now been established by more than 100 councils, and another 100 are considering doing so, Peter Kilfoyle, the Public Service Minister, told the local business partnership annual conference at Canary Wharf, London.

More than 55 per cent of 500 small companies surveyed for Business Pages had little or no training to help their businesses to grow, and 63 per cent thought that the seminars and courses available were unhelpful. Half felt that the cost of training outweighed the benefits. When asked what training they lacked, 38 per cent singled out information technology, while 30 per cent wanted instruction on legal issues.

The facilities management exhibition and conference FME expo will be held at Olympia, London, on April 21-23. The official exhibition of the British Institute of Facilities Management, it is organised by Miller Freeman, the exhibition organiser, and Quadrillect, the conference organiser.

"It looks like both my computer and I will celebrate the millennium with a breakdown!"



Deirdre Nicholls hopes to see Celtic Silks achieve turnover of £100,000 next year

## Gifts firm prospers with Celtic flair

Christian Dymond on a journey from kitchen table to corporate clients

Fifteen years ago Deirdre Nicholls sold an old car for £250 and, with the encouragement of her husband, David, bought a bale of white silk and a collection of dyes. In the hand-painted scarves she subsequently produced on her kitchen table the origins of Celtic Silks, a business she launched in 1994.

The firm produces a range of goods, made either of silk or silk and cashmere or leather with a silk lining. They include throws for putting over chairs and beds (retailing at about £50), cummerbunds, waistcoats for men, personal organisers, jewellery holders and credit card cases.

"Celtic Silks is aimed at the luxury end of the market and increasingly at corporate clients who want high-quality gifts tailored to reflect their own image," says Mrs Nicholls, who last year won the annual European Women of Achievement Awards. The awards are run by the European Union of Women.

Although Celtic Silks has space at the showroom of the Scottish Textile Association in Portland Place, London, its offices are near Dunkeld, Tayside, where Mrs Nicholls is designer, typist, coffee-maker, contract-maker, packer and researcher. A part-time helper may soon become full-time because turnover has grown fivefold, from £12,000 in the first year. There

are hopes of hitting £100,000 next year.

The firm does not make the goods itself. Mrs Nicholls designs the products and then finds the right manufacturer to complete them, specifying the detail very carefully. She has made silk ties for Walkers Shortbread, produced tartan gifts for the shop at the Palace of Holyroodhouse, in Edinburgh, and created a tartan for Coopers & Lybrand, the huge accountancy firm.

Mrs Nicholls said: "Last year when Coopers were holding their European Partners conference in Edinburgh I was asked to make a range of tartan gifts for presents. They had considered using the Black Watch tartan, but I suggested they should have their own. After all, a big corporation is like a big clan. It is unified by one common purpose."

After weeks of research she came up with a subdued green and blue pattern, a design that

she believed would blend perfectly with City boardrooms. There were 500 people wearing the tartan at a dinner and dance on the final evening of the conference.

Subsequently, Coopers & Lybrand produced a mail order catalogue of her tartan gifts - which included laptop cases, shoulder bags, scarves and dance sashes - for their own staff. Orders come in from all over the world.

"My policy is to work with blue chip companies, which is a hard line to follow when you have to turn down other orders," she says. "But the biggest mistake I made was to do small runs for small companies. It wasted a lot of time and energy and usually left me with a number of goods on my shelves because I had to ask the manufacturer to do a decent-sized run in the first place."

As usual Mrs Nicholls attended the Glasgow Trade Fair last month. October's Highland Trade Fair is her other main trade outlet. Made in Scotland, a marketing agency for Scottish gift, craft and textile companies - the organiser for both fairs - has put her in contact with a number of clients.

Mrs Nicholls says: "I focus on my customers, never forget my suppliers and work hard on constantly improving my design, manufacturing and packaging standards."

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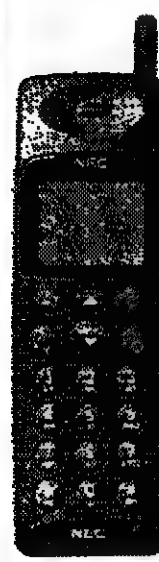
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Soho's famous jazz club has bounced back with new vigour after Ronnie Scott's death. Clive Davis meets the man in charge, Pete King

# King who wears the Scott crown

Life goes on. Upstairs, in the deserted club, the Billy Cobham band are rehearsing a number. Downstairs, in the tiny musicians' bar, Pete King sits at a table beneath portraits of his old friend, Ronnie Scott.

At the front door the phone line is already busy with callers making bookings for a band that is not appearing until July. The Notting Hillbillies are not the kind of act you expect to see on the bandstand that has been graced by Stan Getz, Sonny Rollins and Ella Fitzgerald. Sometimes, though, a proprietor has to think about the bottom line.

The club is certain to be packed for the two weeks that Mark Knopfler and his fellow rockers are due to play here. King's accountants — who presumably possess a handsome set of stomach ulcers — will be well pleased. Yet King, a laconic East Ender, is too blunt and independent a character to gush over music that does not particularly interest him.

He is much more interested in discussing the Count Basie Orchestra, who open at the club tonight for their first Soho residency in 22 years. Then there is the Mingus Big Band to look forward to in June, not to mention, at the end of this month, the young Canadian singer-pianist Diana Krall, the honest new act in jazz.

What this all adds up to is that, just over a year after Ronnie Scott's death, the club that bears his name is beginning to buzz again. Although regulars may not have voiced their feelings before, there was an undeniable sense of stagnation about the programming in the last few years.

Scott's self-deprecating master-of-ceremonies banter had never changed ("We'd like you to eat, drink and enjoy yourselves. Pretend you're on the Titanic"). But it

was still funny, even on the hundredth hearing. The music, on the other hand, was losing its freshness. The same acts seemed to be coming round month after month, and you could almost see your watch by the Forthcoming Attractions handbill displayed by the entrance.

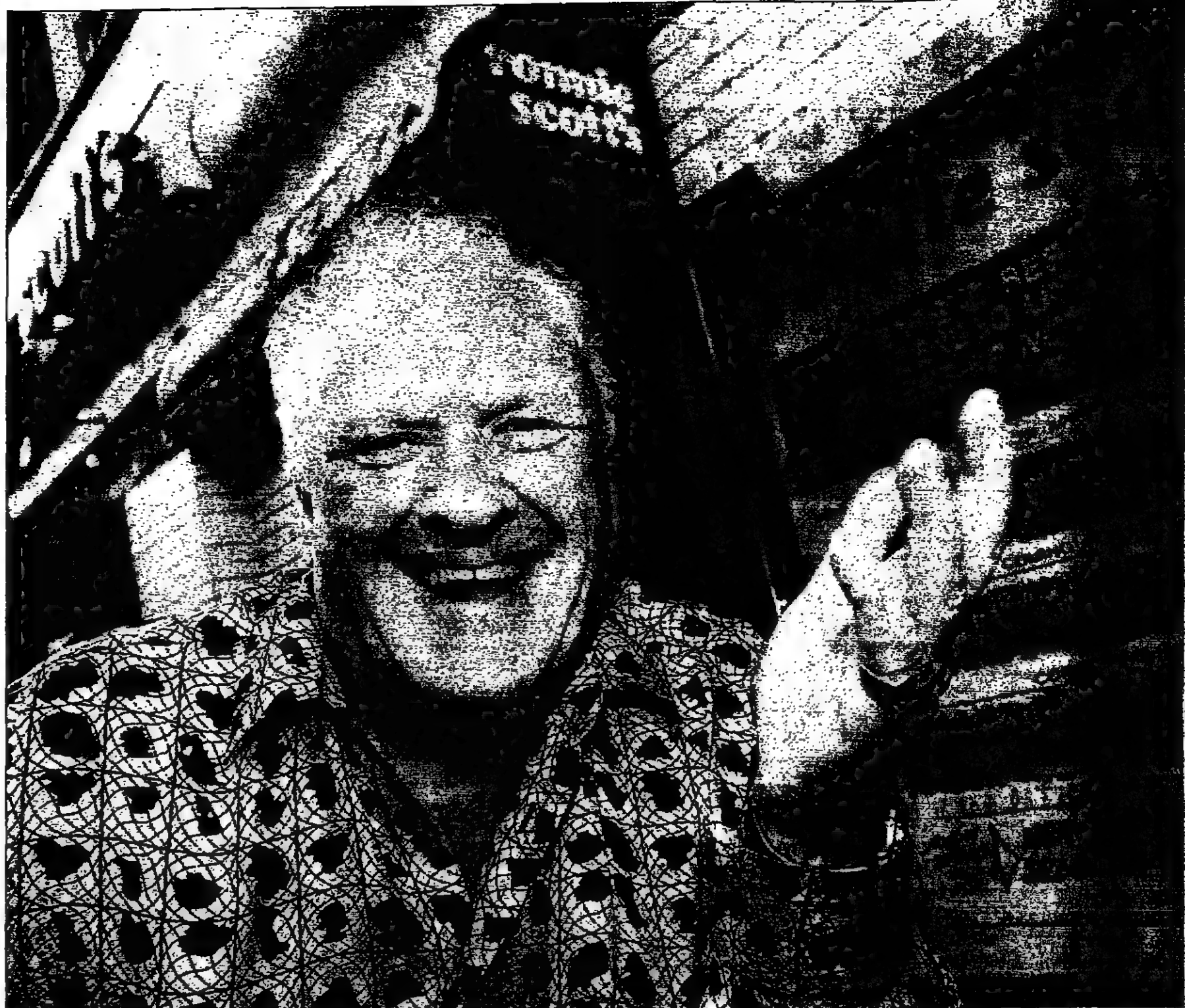
Some of the familiar names are still there — the virtuoso Cuban big band Irakere will be back in May, for instance — but the recent appearance of the charismatic saxophonist Manu Dibango was another sign that the club had rediscovered its sense of adventure.

If Scott was the wise-cracking frontman and tenor player, then King, the saxophonist he first befriended in the dance band era half a century ago, was the man who took care of business. And King — who long ago gave up the saxophone to concentrate on management — is the first to admit that he had to some extent slipped on to automatic pilot.

When you've been in financial difficulties, as we've been in the past," he says, "you find a nucleus of people that you can depend on, so that you won't have to keep looking over your shoulder to make sure the audience is there. And, frankly, I'd rather played them to death."

King was completely wiped out by Ronnie's death. But although a lot of people said "Oh, what's going to happen to the club?" I never had any doubt that we would carry on. The thing was, even though I'd had the main say in running the place, I really felt I had to prove myself.

King and Scott opened their first establishment in nearby Gerrard Street in 1959, hoping to establish a modest base for local players. That the club — which moved to its more spacious Frith Street premises in 1965 — is still doing business at all is something of a miracle.



Now booking: proprietor Pete King, outside the Frith Street club, agrees that in the past few years Ronnie Scott's has relied on the same old crowd-pleasers — but no more

Although the Musicians' Union has been a regular financial supporter, the venture has survived without state subsidies. King still smiles at the memory of the occasion, 30-odd years ago, when he and Scott paid a visit to the Arts Council's offices, seeking help for the move to Frith Street. When a busy apparition finally breezed into the room and opened the meeting with "Now then, about this Ronnie Scott's Club..." Scott and King took their cue to depart.

Unpretentiousness and lack of deference has become part of the venue's ethos. Complaints about rudeness at the door have certainly

been justified at times. But at least there is no fawning over VIPs. The notoriously stiff-necked Wynton Marsalis was once turned away because he had failed to complete an engagement with the Jazz Messengers the previous year. When the extravagant soul singer Isaac Hayes turned up at the door wearing a huge fur hat, Scott quipped: "When that has puppies, can I have one?" Hayes failed to see the joke and turned on his heels.

Being based in the West End, with all its attendant overheads, may have restricted King's room for manoeuvre on the booking front. The noisy business parties

remain a nuisance, and you are unlikely to see the latest allegedly cutting edge band from, say, New York's Knitting Factory. The support acts — mainly young newcomers — can lack personality too.

King, who knew so many outrageous characters in the old days, concedes that there is a definite lack of eccentricity. "The young guys take their saxophones out and play all over the place, but they don't leave any space in the music. There isn't the sitting in with other bands that we used to experience. Guys want to play their own

material, too, and a lot of it is pure crap."

Still, it is hard to think of a live venue with as much ambience or as good a sound system. And with the notable exception of the newly renovated Pizza Express Jazz Club, none of its rivals has mounted much of a challenge. The much-vaunted Jazz Café in Camden Town still looks like a high-tech gent's urinal and — under the Mean Fiddler's management — has further reduced its jazz programming. Another contender, the Rhythmic, started promisingly but went bust. So King soldiers on, a year away from his 70th birthday and ten

years after a major heart attack. He leads a quiet life in Elstree, with Radios 3 and 4 filling much of his free time.

He has Tuesdays and Thursdays off; otherwise he is at his station by mid-morning, not leaving until about 1.30am. Jimmy Walker, high-living Mayor of New York in the Roaring Twenties, once remarked that no civilised man goes to bed on the same day that he wakes up. Pete King is doing his bit for civilisation.

The Count Basie Orchestra performs at Ronnie Scott's Club (7/11-19/14/98) until March 16; Diana Krall plays for one week from March 30.

## BUILDING A LIBRARY

A guide to the best available recordings, in conjunction with BBC Radio 3

### HANDEL'S ORGAN CONCERTOS

Reviewed by Jonathan Freeman-Aitwood

HANDEL wrote and performed organ concertos as an oddity to attract audiences to his new-fangled oratorios of the mid-1730s. Until well into his blindness, where his playing depended on "his memory uncommonly retentive", Handel continued to furnish these theatrical proceedings with virtuoso keyboard interludes. Twelve of the 16 surviving works appeared in contemporary published sets as Opus 4 and the posthumous Opus 7.

Approaches to recorded performances range from the essentially gothic dimensions of Karl Richter in the 1950s to "period" performances which capture the intimacy of a chamber organ conversing pluckily with a small band of strings.

Of the older readings, Lionel Rogg (on EMI, from 1974) and George Malcolm (Decca, 1972) both have something distinctive to say. Rogg, the better organist, ravishes with his acute feeling for rhythmic nuance, yet is badly let down by a poor orchestra. Malcolm has robust orchestral backing from the Academy of St Martin-in-the-Fields and plays with extraordinary vitality, even if the Op 7 concertos fail to live up to the earlier collection.

Ultimately, it is the new generation of Bob Van

Asperen, Ton Koopman and Paul Nicholson who most successfully blend refined 18th-century concertos with the appropriate improvisatory spirit needed to flesh out Handel's skeletal instructions. Van Asperen (on Virgin, 1996) is a fine keyboardist but breaks up the natural line and overgilds the lily with fussy, self-conscious decoration. Nicholson's recent recording from Hyperion is honest and true, if not exactly charismatic, and it radiates a disarming warmth and naturalness. Simon Preston's ubiquitous version (Archiv, 1982-83) is distinguished by the spirited and ruddy-faced English Concert, though the organ often sounds sour-sounding and Preston rarely lets the moment catch him.

Ton Koopman's reading from 1986 (Erato 4509-91932-2, £14.99) provides a practically ideal fusion of mesmeric energy, alert exchanges between organ and orchestra and a truly Handelian sense of immediacy, realised in well-judged tempi and spontaneous improvisation. The organ is sweet-toned and never obtrusive, despite a noticeable mechanical hum emanating from the diaphragm of the beast.

The Amsterdam Baroque Orchestra can seem lightweight at times but the soft-grained texture is an ideal foil to the quixotic and uplifting Koopman.

To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SCO681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk

Next Saturday on Radio 3 (9am): Verdi's La traviata

## Cuba comes to town

Alex Wijeratne relives the golden age of Club Tropicana

The cheekiest cabaret in the world is coming to London, bringing with it echoes from a more glamorous age. If you lived large in the Fifties you hung out under the stars at Club Tropicana, Havana, Cuba. The place, as they say, was smoking.

The shows were unforgettable. Josephine Baker, Carmen Miranda, Nat King Cole, Rita Montaner, Celia Cruz, Marlene Dietrich and Pedro Vargas sang. A big-band orchestra played the popular moves (cha-cha-cha and guaguanco). Good seats were £100, and virtuosos performed ballet, Chaplinesque comedy, zarzuela, pantomime and acrobatics.

The showgirls were stupendous. Modelos (models) and figurantes (dancers) shimmied through the 1,000-seat open-air theatre — the "Salon Under the Stars" — creating a fantasia of ostrich feathers, fishnet stockings, sequined thongs and rhinestone headwraps. Brenda and Sicardi, a famous pair of movers, were billed as "The Most Audacious Dancers in the World". Groups flew in from Miami for overnight specials on the Tropicana plane. Every night was considered the "apotheosis of delirium".

Those days may have gone, but Tropicana has survived dictatorship, revolution,



Some cheek: a Club Tropicana showgirl struts her stuff

clamdownto, embargo and the "special economic period". A source of Cuban national pride, today it brings in \$7 million a year in foreign currency. And now a version is touring the world, stopping in London at the Albert Hall.

Tropicana's enduring appeal is remarkable. It has closed only once for two years from 1967 since an Italian showman, Victor de Correa, opened up on New Year's Eve 1939 at a 120-hectare hacienda in Marianao, a suburb west of Havana, set among cypress groves and palm trees. After

the war its new "Lefty Clark" casino, with hidden doors and poker pits, emerged as a major international betting centre.

By 1970, however, it was languishing — nationalised, overlooked and devoid of its old charm. Then a new artistic director, Joaquín Condall, pledged to revive the legend. He was determined to present an epic show and scoured Havana for beautiful models. The result was a Roman spectacular, complete with gladiators and lions. With a new school of dance and an enhanced reputation, Club Tropicana went on to play in Monte Carlo and New York.

This year's two-hour show will transform the Albert Hall. "The dancers come from every direction," says Harvey Goldsmith, the tour promoter. "They come up through the floor, they come across the stage, they dance through the audience. Bringing them over was the ultimate challenge."

"It's raunchy, exotic, with great-looking people," says Santiago Alfonso, the artistic director who has been with Tropicana since 1964. "Cuba has a sexy culture. It's our music, our rhythm, the language, the colour, the quality of our light."

Alfonso says his troupe of 89 dancers — "A company, number-one company dancers" — are world-class through constant training. "My company works 12 hours a day," he says. "They say negroes are very alive to dance. They say we have a very special sense of rhythm. But everyone can dance. Instead, I choose talent. Black, white, blond or mulatto, it doesn't matter."

Tomorrow the Victorian dome will be host to an environment unlike anything it has seen before. Pull up a pew and spark the Cobiñas. It's 1958. You're a goodfella once again.

Club Tropicana is at the Albert Hall from tomorrow until Sunday (0171-589 8212)

## Hooked by the crooks

THEATRE

turbulent one is a gang of would-be Hell's Angels, and enough unfinished business to constitute a bloodbath waiting to happen.

So far, so pulp. The problem is that good pulp should have neat, surprising, but coherent plotting. Hughes has attempted to incorporate an element of satire, but misses some of the sprightliness that makes the genre interesting. Rather than a smartly choreographed narrative, *Twenty Grand* has a rather stumpy plot that tends to lurch rather than glide.

But if the play has shortcomings in terms of story, these are more than compensated for elsewhere. With the unfor-

tunate exception of the sole female character, Hackett's daughter, Karen (Annie Crowley), Hughes has created a gang of hugely entertaining, lying, thieving double-crossing cut-throats. Dialogue, particularly from Carney's dapper single-malt-sipping overlord, crackles with fast-mouthed, sharp-as-a-Stanley-knife wit. In particular, Hackett's medicinal description of the meaning of one of his gang, delivered as though it were just another old pub anecdote, is monstrously beguiling.

As Dalton, Brophy is less flashy, as befits a man who thinks faster than he talks, but equally fluid. Shiel's hairy-lipped Dino is dumb in the smartest possible manner. Everything about the characterisation rings, if not true, then entirely captivating, in a homeside way.

Hughes's play owes an only partially disguised fascination with hard-boiled Dublin, and director Corall Morrisson's cast seems to share that illegitimate pleasure. It should not be so, but it is impossible not to enjoy a sense of people having fun on stage.

LUKE CLANCY

## A class act still at school

COUNTRY

If she can find the time between selling millions of records and keeping up with her schoolwork, LeAnn Rimes plans to write her autobiography. Since she is only 15, that news may sound alarm bells about another case of a young life derailed by fame. But if ever there was an old head on young shoulders, it is Rimes's.

Besides which, if you had gone through the couple of years she has, you might want to jot down the details somewhere. She has sold some 11 million albums in America, won three Grammys, written a children's book, starred in a TV movie based on her life, and, in 1997, generated \$96.3 million of record sales and concert receipts, second only to the Rolling Stones.

Last week Rimes experienced a rare disappointment when her version of the Diane Warren song *How Do I Live* was pipped to the Best Female

Country Vocal Grammy by Trisha Yearwood's rival recording. By way of consolation, Rimes's rendition is reportedly the best-selling country single ever — and her first substantial UK hit.

In what read like a thankless proposition, she was booked last Thursday to play a concert in Nashville for delegates at the 29th annual Country Radio Seminar, with her Curb Records labelmate Hal Ketchum. The venue was the venerable and elegant Ryman Auditorium, a stage graced in its time by everyone from Anna Pavlova to Mae West.

Ketchum, with four distinguished albums to his name and another soon to arrive,

was in fine form. The acoustic piece he dedicated to the bride he married on Valentine's Day, *You'll Never Hurt That Way Again*, sounded like a pop hit in waiting, and his sweet, almost Orbison-esque tones rang out on the old *Past the Point of Rescue* and a version of Todd Rundgren's *I Saw the Light*.

The acclaim he received was extended to Rimes — and deservedly so. Stochting any suspicion of teenage hype, she gave a vocal display of immense power and versatility. Only her tendency to shout at rather than talk to her audience slightly marred the impression of a fully rounded and well-balanced entertainer. From an a cappella-led *Blue Moon of Kentucky* through her first hit, *Blue*, to the old and more contemporary *Swampy*, no vocal hiding place was ever sought.

PAUL SEXTON

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# From one old master to another

Two new shows prove that Anthony Caro is finding fresh inspiration in the past. Richard Cork reports

Even the most rebellious of modern artists turn out, more often than not, to be preoccupied with the masters of the past. Nobody was more fascinated by tradition than Picasso, who fought it all the time. His late variations on paintings by Delacroix, Manet and Velázquez are only the most conspicuous examples of a lifelong, rivalrous obsession with the artists who excited his keenest admiration.

Anthony Caro shows every sign, as old age approaches, of developing a similar urge. Over the past decade his involvement with Rembrandt, Manet, Goya, Mantegna and Matisse has taken the form of elaborate, deeply felt homages to particular paintings. Now, in the first sculpture exhibition ever held at the National Gallery, they have been brought together and supplemented by a new series responding to Van Gogh's painting of his own chair.

Along with a show of Caro's other recent work at Annelly Juda Fine Art, it provides overwhelming evidence of a sculptor in a marvellous state of ferment. Far from slowing down or rehearsing stale formulae, he thrives on reinventing himself. As his 74th birthday approaches, he never stops taking on challenges and extending his range.

How can an abstract sculptor respond to figurative paintings without robbing them of human emotion? This is the central question posed by Caro's National Gallery exhibition, and the answer is bound up with realising how supple and organic his form-language has become.

In the 1960s, when his work was at its most lean, angular and machine-like, he wisely stayed clear of variations on the Old Masters. By 1967, though, Caro was ready to make a large *Table Piece* based on Mantegna's *The Triumph of Caesar* cycle at Hampton Court. Restricting himself to welded steel, he produced a cold yet crisply energetic summation of the procession moving through Mantegna's awesome canvases. Trumpets, spears and trophies scythe through the sculpture, giving it a tense, combative dynamism. By draining Mantegna's ceremonial parade of its sensuous colour, though, Caro emphasises mournfulness rather than militancy.

Between 1944 and 1946, Caro served in the Fleet Air Arm of the Royal Navy. On the evidence of this exhibition it left him with an abiding abhorrence of war. There is nothing victorious about his meditation on Caesar's conquests. Instead, the threat of mortality hangs over the entire sculpture, with its gaunt emphasis on fragmentation. Succeding works confirm that Caro has transformed himself in the 1990s into a tragic artist. His new-found determination to confront death be-

comes overt in a tall brass and bronze work inspired by Rembrandt's *Descent from the Cross*. The girder-like elements in his earlier work are retained, especially in the cross's armature and the tough diagonal beam replacing the ladder in Rembrandt's painting. But they are welded to other, more corporeal forms dangling from the top of the cross and leaning protectively towards the centre. A remarkably powerful pathos is conveyed, not least by the expanse of white metal falling towards the base. In Rembrandt's picture it is a sheet, taut and straining from the weight of Christ's limp, ungainly corpse. In Caro's sculpture the whiteness almost becomes an emanation from the dead man, sliding earthwards and yet transformed by light.

Despite this luminosity, the attendant forms seem powerless to arrest his downward trajectory. They appear hunched and despondent, and the chair, standing so in-

Caro has transformed himself in the 1990s into a tragic artist

cededly on the side stresses the weariness of figures whose stamina has been undermined by grief. Its presence here may help to explain why, seven years later, Caro settled on Van Gogh's *Chair* as the focus for his most recent series of homages to a painter from the past.

In his *Descent from the Cross* a religious response to Christ's martyrdom, or a more secular meditation on the transience and final frailty of life? Caro leaves the question open, but the overall mood of both his exhibitions suggests that he has entered into a late period overshadowed by the prospect of the grave.

In one sculpture, he has been affected by outside events. The internecine conflict in Bosnia, and the harrowing images it spawned on television, provoked him into making a large steel sculpture called *Act of War*. The starting-point this time was Goya's lacerating *The Third of May, 1808*, at Madrid, where a brutal, impersonal phalanx of soldiers level their rifles at an anguished group dominated by an imploring young man. His white shirt and upraised arms are reminiscent of the crucified Christ, but he is difficult to discern in Caro's sculpture. So are his kneeling companions. The only recognisable forms are the horizontal shafts of the executioners' weapons, which now seem to project from

armoured bulks rather than soldiers' bodies.

*Act of War* looks, in fact, more like the stunted aftermath of a shooting. Shards of rusted metal stand marooned and forlorn on the steel base, or project so far beyond its edge that they arch downwards in defeat. It is the starkest, most relentless sculpture Caro has yet produced, and its funereal stillness made me wonder if anyone was left alive in the wake of the extermination he seeks to envisage. Never before an openly political artist, he has proved himself capable here of cold, polemical anger.

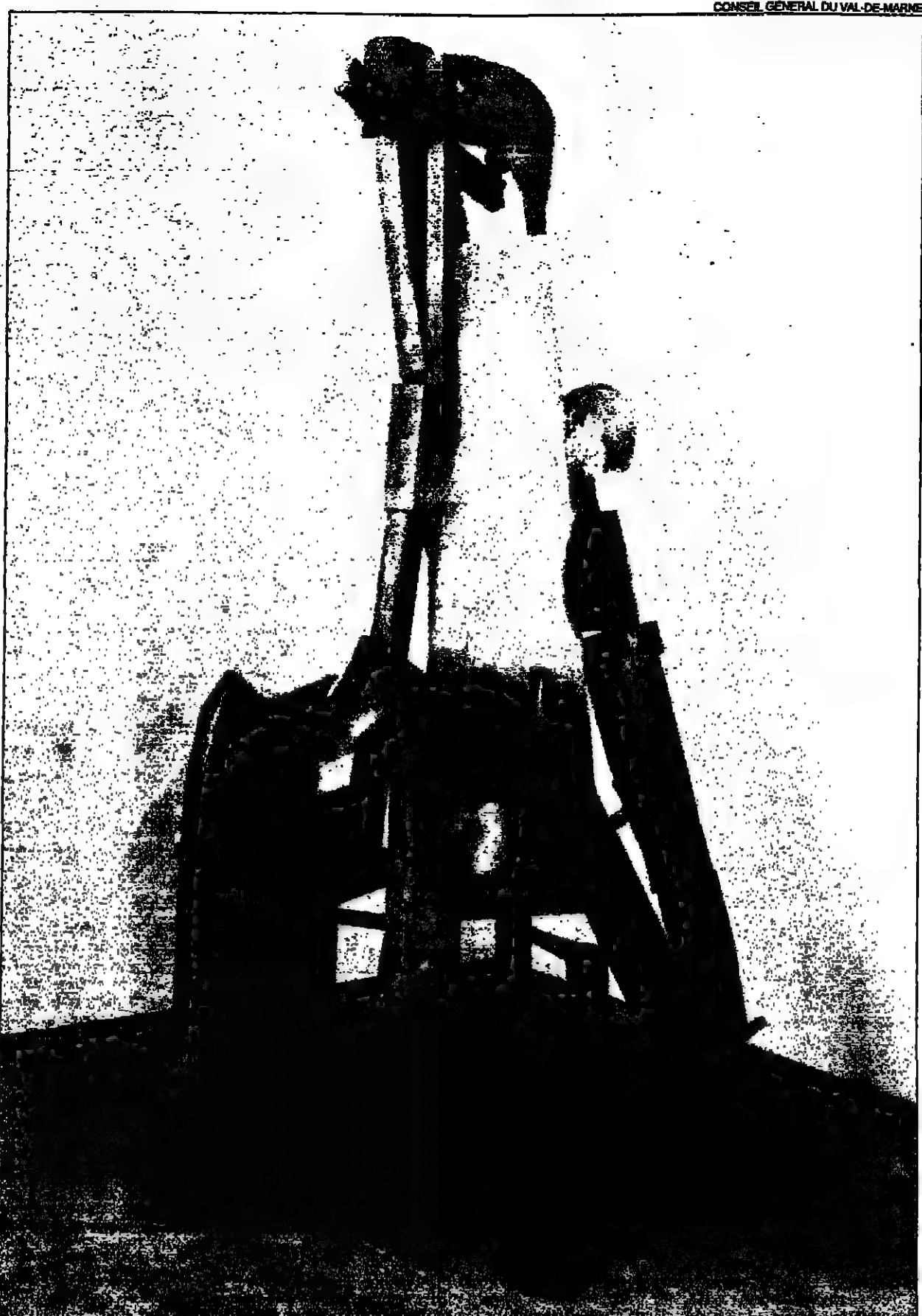
The more beguiling and hedonistic side of his work is only represented by *Table Piece*, "Dark Wood Beach", where his springboard was Matisse's seminal 1907 painting *Blue Nude*. It is an erotic idyll, rejoicing in the shell-like curves of breasts, hip and buttock as they shelter under the palm fronds erupting so scintillatingly above. They seem far more liberated than the foliage in Matisse's painting.

But the most recent works in the National Gallery show, all based on Van Gogh's *Chair*, return to sobriety and compression. The only painting from the collection displayed in this survey, it looks far greener and more acidic juxtaposed with Caro's sculpture. "I looked for a work with a sturdy block at its centre," Caro has explained; and in at least two of his versions a robust stoneware monolith, akin to a detail from Stonehenge, stands firmly within a rusted steel framework. The feeling of containment is strong, even though Caro has introduced a certain instability by echoing the steep tilt of Van Gogh's paved floor.

But in another version, *Chair IV*, the stoneware seat has collapsed. As if crushed by an insupportable weight, it sags and compresses the legs beneath into an elephantine fatness. The room's walls and door, so upright in Van Gogh's painting, seem about to fall on the subject, pummeled chair they ought to be protecting. It is a claustrophobic sculpture, charged with Caro's awareness of disintegration.

Van Gogh himself was fascinated by Luke Fildes's drawing, illustrated in *Graphic magazine*, of the chair in Charles Dickens's study left empty by the novelist's death. But whatever he may have intended to symbolise by painting his own yellow chair, vacant except for a pipe and tobacco, Van Gogh left its structure firm. Caro's *Chair IV*, by contrast, seems battered and broken. It is the work of an artist who, nearly 40 years older than Van Gogh was in 1888, has more first-hand knowledge about the fragility which overtakes us all.

There is nothing terminal about Caro's two exhibitions, though. They are a double-



Grave thoughts: Anthony Caro confronts death in *Descent from the Cross* (After Rembrandt) at the National Gallery

barrelled blast of sculptural vitality, and the proliferation of small "book" pieces ranged on Annelly Juda's shelves show him at his most irresistible. Thriving on an interplay between war, bread-like lumps of stoneware and wriggling, thrusting, puncturing steel, they testify to the fertility of his inventiveness. If Caro continues to perform with as much acrobatic zest as he displays here, his late period will be prodigious and full of surprises.

Anthony Caro is at Annelly Juda (0171-629 7578) until April 13, and at the National Gallery (0171-639 3321) until May 4.

## An empire in miniature

London can enjoy a double helping of dazzling Islamic and Indian treasures, says Isabel Carlisle

London currently has two exhibitions of rarely shown and exceptionally fine Islamic and Indian miniature paintings and drawings.

Works from the collection of Prince and Princess Sadruddin Aga Khan are on loan to the British Museum, while Indar Pasricha Fine Arts has been allowed to borrow the cream of the Mogul paintings from the British Library in memory of the Indian scholar Toby Falk. This is the first time that a private gallery has shown works from a national collection.

There is an overwhelming amount of information alongside the paintings to help Western visitors to get a grip on the scenes shown and their dauntingly complex history of names, dates and dynasties. My advice is to absorb the bare minimum and use the time in the gallery looking at the art, not the labels.

The breadth of the Sadruddin collection shows that miniature painting was an art form that lasted from the early 14th century in Mongol Iran to the early 20th century in Nathdwara, India. But it was confined to a few centres of production, and the works were made to be seen only by their owners and close companions. The painted

sheets of paper were taken out of their folders and passed around when the story that they illustrated was being told or, more privately, at moments of high passion or religious contemplation. In most cases the artists who worked in the court ateliers from Tabriz to Agra were anonymous, and in any case they painted as a team, combining a wide range of artistic traditions.

The early 15th-century drawing in ink on paper from Iran (in the Sadruddin Collection) that shows a lion growing up at two monkeys perched in a tree is a rich mixture of styles. The ancestors of the artist were Mongols who arrived with Genghis Khan in the 1220s, whose descendants in their turn were influenced by Chinese scroll painting, Byzantine and Armenian book illustration and native Iranian art. Delicately calligraphic, each leaf and ear of grass is drawn in, the tree bark knotted, the lion sleek, while the swirling outlines of the rocks are essentially Chinese.

The intricate scenes in Indian, Islamic and Ottoman paintings (small scale because they had no canvas or oil paint) conceal layers of meaning and reveal their pleasures gradually. They were intended



Colour key: hot saffron provides the background to the Sadruddin collection's *Kausa Ragaputra* from 1700

as a meditative exercise, prompting sensations of places, times of day and states of mind. The significance of the scene lies not so much in the superficial narrative but in what it symbolises. In the Sadruddin's *Palace of a Princess Smoking a Hookah*, the pensive woman pauses on a garden terrace in front of an intense vermilion curtain. Her loneliness embodies the idea of separation of Radha from Krishna in Hindu mythology, but we don't need to know that to feel that this is a moment of intense longing.

Colour provides the most direct route into Indian painting, whether it is the hot saffron yellow in the flat background of the *Palace of a Princess Smoking a Hookah* from 1700 in the Sadruddin Collection, or the cool green and blue distances of the view over the Ganges in the British Library portrait of 1764 from Patna of an *Indian Lady* named *Muttubhy*.

However, it is Mogul art that remains the most exquisite and the most profound, the most inviting and the most elusive. A sheet from the British Library in the imperial style of the 17th-century Emperor Shah Jahan shows *A Mogul noble out hawking*. Dressed in a brown *jama* he rides alone through a dreamlike landscape of exceptional greenness, as wild ducks fly down to a pond, looking straight ahead with his hawk on his upraised right arm. The artist has clearly been influenced by European landscape painting but the figure is quintessentially Indian, absorbed by an inner world. When the beauty of the paintings is set aside it is that other world, both mysterious and alluring, which continues to fascinate.

The Sadruddin collection is at the British Museum (0171-639 1555) until April 13. The Mogul Paintings from the British Library are at Indar Pasricha Fine Arts, 22 Connaught Street, London W2 (0171-724 9541) until Saturday.

## AROUND THE GALLERIES

SOME prejudices are hard to eradicate. An artist who finds fullest expression in the print rather than in painting or sculpture is condemned to minor status. Confronted with the oeuvre of John Copley (1875-1950) it is impossible to justify that. Of course Copley painted as well as making etchings and lithographs, and the paintings are good of their kind. But it was only with the print that he felt able to cut loose from conventional moorings and go steaming away into his own private world, his own extraordinary vision.

Early in his career the favoured medium was the lithograph, but in the last decade of his life he turned almost exclusively to the etching, and it is to the etchings that the new show at the Fine Art Society is confined. Very strange the results are: curiously elongated figures, contorted into strange poses more suggestive of Egon Schiele than anything in British art, and weirdly truncated by the edges of the composition. Occasionally there is a touch of satire, as in *French Songs of 1946*, but works such as *Figures in the Wind* (1940) or *The Apple Tree* (1950) are just hauntingly peculiar.

Fine Art Society, 148 New Bond Street, W1 (0171-629 5116). Mon-Fri 9.30am-5.30pm, until March 27.

THE curse on prints-only continues to afflict even highly contemporary artists. Matthias Manasse, currently on show at Alan Cristea, perhaps less than most. But even he, reasonably well-known abroad, is not really known at all in Britain. As far as the outside world knows, he has never made paintings or sculptures: everything he has shown takes the form of very large coloured wood cuts.

The prints in his cycle *Das Haus* consist of large, simple shapes, human beings and furniture primarily, loosely arranged on great swaths of white paper, sometimes steering clear of one another, sometimes overlaid. The textures of the wood are visible and give the work its abstract/representational ambiguity. The prints are monumental rather than domestic, and on that level they remain impressive, not least for their extraordinary technical skill.

Alan Cristea Gallery, 31 Cork Street, W1 (0171-439 1866). Mon-Fri 10am-5.30pm, Sat 10am-1pm, until March 14.

JOHN RUSSELL TAYLOR

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## LONDON

**ELISE BLUEGRASS CASTLE** A concert performance of Barok's one-act opera *Barok's Castle* by the Philarmonia Orchestra under the baton of its principal conductor, Christoph von Dornay. The 18th-century opera is set in the castle of the Count of Barok. The opera is performed in English with English subtitles. (Philarmonia Theatre, 11, St Martin's Lane, W1C 2DQ. Tel: 0171 636 8891. Tickets: £10-£25. Sat 7.30pm.)

**EPITAPH FOR THE WHALES** The celebrated Japanese director Kazuo Ohno's new play about the whales. The play is performed in English with English subtitles. (Theatre Royal, 11, St Martin's Lane, W1C 2DQ. Tel: 0171 636 8891. Tickets: £10-£25. Sat 7.30pm.)

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## TODAY'S CHOICE

A daily guide to arts and entertainment compiled by Mark Hargreaves

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## TOWARDS THE MILLENNIUM: Birmingham's finest celebrate the Seventies

Hans van Manen's *Grosse Fuge*: "A fine quartet of male dancers made the 27 minutes continuously watchable"

## Inspired by the past

Birmingham Royal Ballet's *Towards the Millennium* celebrations have reached the hyperactive 1970s, a decade when dance in Britain was riding a wave of unprecedented public enthusiasm. New ideas and new companies were being born throughout the dance world, and established choreographers, inspired by the radical spirit, were searching for new directions. Yet the three ballets which Birmingham has chosen to represent the 1970s owe a huge debt to the past.

In many ways, Balanchine's *Symphony in Three Movements* is wholly unrepresentative of its time. By 1972, when it was first performed in America, Balanchine's status as grand master of 20th-century choreography was already confirmed. He was nearing the end of his career, so secure in his style that he had no need of fashion to define it. The music he chose was Stravinsky's 1946 symphony, a work written during the Second World War and drawing on the "continual torments" of that tumultuous decade. But in looking back, Balanchine found a contemporary resonance in Stravinsky's volatile writing.

The enormous ensemble in *Symphony in Three Movements*—32 dancers in all—was a blood-sucking monster, and the fair and bravery of the choreography are matched by a ruthlessly focused demeanour. The BRB corps, however, danced the ballet like chubby-cheeked boys and girls, not the sleek men and women of Balanchine's imagination. Monica Zamora and Kevin O'Hare did well in their central pas de deux, but whoever told the

company to glare at the audience like short-sighted robots did them a disservice.

Hans van Manen's chosen score goes back even further, to Beethoven's *Grosse Fuge*, played here by the Royal Ballet Sinfonia conducted by Philip Ellis. Van Manen's ballet of the same name, conceived for Netherlands Dance Theatre in 1971, is well-crafted but oddly upright. Beethoven's concert music is notoriously difficult to choreograph and van Manen cannot avoid being trapped in a kind of movement congestion. Some of *Grosse Fuge* is quite beautiful, and some quite unusual, but it is never quite beautiful or unusual enough. And the brooding choreography falls prey to van Manen's essential ploy: even eclecticism has to be redefined in its abundance of colour nuances at the quieter end of the dynamic spectrum.

There is no need to impose clarity on a fundamental virtue and no less in *Les espaces du sommeil*—in spite of the ultimate obscurity of the Robert Deodat text that inspired it—than anywhere else. The French words, elegantly sung here by Francois le Roux, are set with unflinching sensitivity to their natural inflections and the orchestral reflections of their imagery are drawn with exquisite precision.

As if that were not eclecticism enough, an encore in another medium, the R&B was accompanied by Rattle at the piano in a song, not from the eighth decade of the century, but from the first. Rattle's *Le Martin-p  cheur* was too brief and too delicately poised to have any tolerance of uncertainty in pitch but, after the initial confusion, it was a most welcome addition to a programme so short that it could actually have accommodated the whole of the *Histoires naturelles*.

DEBRA CRAINE

THE MOST fruitful way of dealing with the major issues of the 1970s was to avoid them—or so it seems from the first concert in Sir Simon Rattle's *Towards the Millennium* survey of that ugly decade. Toru Takemitsu dreamt of a world where mathematical perfection and natural beauty coincided. Wholol Lutoslawski retreated into surrealism. Even Dmitri Shostakovich, whose music had for so long confronted political reality, now took refuge in enigma.

It is true that the Rattle interpretation of Shostakovich's 15th Symphony is as unrecognisable as it can get. His profoundly elegiac treatment of the Adagio, with its cello solos precariously clinging to the outer extreme of the instrument's range, left no doubt that the composer was contemplating his own imminent death. Eclecticism, into cheerful banality in the first movement or into a hope of youthful renewal in the last, inspired no sympathy. The work is surely not as bleak as that, but even if it is an authentic reading the focus is still inward rather than outward to the Soviet reality reviewed in earlier symphonies.

Something of the same uncompromising clarity of thinking informed the interpretation of Takemitsu's *A Flood Descends into the Pentagonal Garden*. Apparently vague in texture and elusive in construction in other performances, it emerged on this occasion with firm lines and with a sense of purpose rarely encountered in Takemitsu's orchestral music. If it lost a little Impressionist poetry in the process of rationalisation, the City of Birmingham Symphony Orchestra was resourceful in finding an

abundance of colour nuances at the quieter end of the dynamic spectrum.

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## LAW

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## Till adultery us do part

Your spouse promises not to cheat on you, but perhaps you should get that in writing. Chris Barton reports

The Government last week gave another boost to pre-nuptial contracts. Geoffrey Hoon, Parliamentary Secretary at the Lord Chancellor's Department, has announced that there are "significant advantages" to legally binding pre-marital contracts. His comments come at a time when adultery, particularly concerning political leaders in Britain and America, is very much in the public arena.

At the same time, the Family Law Act 1996 is poised to excise adultery, or "criminal" conversation, as a ground for divorce. A combination of such reforms could well popularise American-style pre-nuptial contracts such as the one in which a couple agreed "to tell each other when we have sex with other people".

Having sexual intercourse with someone other than one's spouse has not always been a ground for divorce. Before 1923 a wife also had to show that her husband's away days were incestuous, or at least bigamous. Since the liberal Sixties the law has required cuckolds of either gender only to say that they find it "intolerable" to live with their straying spouses. Yet under the system to be introduced next year of divorce by timetable, adultery will not be enough to break the knot.

and even the degree of "companionship" ("I thought that meant drinking with men in public houses"). Perhaps most satisfying has been the disillusioning of those confused philanderers who, despite knowing its legal definition, "penetration, however slight" — do not realise that they cannot rely on their own adultery to allow them to remarry — and perhaps to be unfaithful again.

Although adultery is to be made redundant as a ground for divorce (along with "unreasonable behaviour", desertion, two years' separation with consent and five years' without), it remains a factor when the court considers ancillary financial relief.

Husbands whose adultery with "the woman named" is deemed to be more than usually morally odious may find themselves paying more, and some wives who have dallied with "correspondents" may receive less. This is because the Family Law Act 1996 has left broadly untouched the annual challenge to Law School examiners to produce tales of behaviour so appalling that the court will consider it "inequitable to disregard" them. (Male) judicial priorities may be demonstrated by contrasting the wife who had her share cut by a quarter for firing a shotgun at her husband, with the woman who was deemed as "impudent" for trying to hang on to a half share in the marital home which she had obtained while in the throes of an affair.



A marriage is over: would the couple like to have considered a pre-nuptial agreement?

contracts, disingenuously suggesting not only that the parties be required to take separate advice at the outset, but that automatic reviews be triggered by childbirth or the onset of either permanent disability or a long period of unemployment.

Given that divorce awaits a degree of delegalisation under the Family Law Act 1996, and only 300,000 people experience it annually, lawyers may be forgiven for eyeing the 600,000 or so who still marry each year — particularly as some of them could

surely be counted on (with the right encouragement) to renege on their pre-marital arrangements. The Government may be over-optimistic, anyway, in seeing such forward-planning contracts as a panacea for the travails, and the cost to legal aid, of contentious divorce settlements. They may be of value in the case of a short, child-free marriage when each party has an earning capacity, but the need to house and support children (and their mother) post-divorce is one of many circumstances in which such deals would quickly become untenable.

No pre-marital agreement, however legally watertight, could guarantee fidelity; non-compliance could, at least, trigger a agreed penalty clauses in the financial settlement. More agreeably, an appropriately drafted contract can at least encourage attention to concomitant marital duty. One American model has the happy couple agreeing "to spend at least one evening a week together putting time and energy into realising sexual potential. An evening begins at 7pm."

● The author is Professor of Family Law at the University of Staffordshire.

## New definitions to root out corruption

Corruption is a national and international problem. In the preamble of a recent convention of the Organisation for Economic Co-operation and Development (OECD), bribery is described as "a widespread phenomenon... which raises serious moral and political concerns, undermines good governance and economic development, and distorts international competitive conditions".

The growing international resolve to combat corruption — demonstrated by initiatives undertaken by, for example, the Council of Europe, the European Union and the OECD — is mirrored in efforts being made at home. The Committee on Standards in Public Life has published a number of reports, and in June 1997 the Home Office published a consultation paper on reform of the law of corruption.

The Law Commission is contributing, too, by today publishing a report and Bill in which we make proposals for the reform and modernisation of offences contained in the Prevention of Corruption Acts 1889 to 1916, and the common law offence of bribery.

The report follows a consultation paper published last year which in turn follows a recommendation, in 1976, by the Royal Commission on Standards of Conduct in Public Life that the statute law on bribery be rationalised. In 1995, the Committee on Standards in Public Life suggested in its first report that as the Government had accepted, but not implemented, that recommendation, it might be a task which the Law Commission could take forward.

Our proposals would involve replacing the existing law with a modern statute creating four new offences: corruptly conferring, or offering or agreeing to confer, an advantage; corruptly obtaining, soliciting or agreeing to obtain an advantage; corrupt performance by an agent of his or her functions as an agent; and receipt by an agent of a benefit which consists of, or is derived from, an advantage which the agent knows or believes to have been corruptly obtained.

We recommend that the new offences should have broad effect, with the concept of "agent" being defined in terms of anyone who has agreed to perform functions, whether for another person or for the public (or both). Although one of the uncertainties of the present law lies in its application to Members of Parliament, the report does not deal with this issue. It is a matter which is under consideration by the Home Office and the

Joint Committee on Parliamentary Privilege, so we decided it would be a wasteful duplication of effort for the Law Commission to examine it as well.

Although the word "corruptly" is used in the existing legislation, it is not defined and the case law on its meaning is confused. In the interests of clarifying the law, "corruptly" should be defined.

We started with the view that an advantage is conferred corruptly if it is intended to influence an agent. We realised, however, that a definition in these terms was too broad because it would catch, for example, all corporate hospitality. We want to distinguish in our report between acceptable and unacceptable corporate entertaining by looking at the intentions and expectations of those providing the hospitality. We recommend that a person who confers an advantage should be regarded as doing so corruptly if he or she intends that an agent should do (or omit to do) something and believes that, if the agent so acts, it would probably be primarily in return for the advantage rather than for some legitimate reason.

As well as clarifying the law, we believe that our recommendations would strengthen it. For example, under the present law, an agent commits an offence by accepting a bribe or a corrupt reward but not by acting in return for the bribe or attempting to earn a reward. This seemed to us illogical, and under our recommended new offence of performing functions corruptly it would be sufficient to prove that the agent's conduct was motivated by the hope of a corrupt reward, whether or not there was any agreement to that effect. We also believe that our recommendations would modernise the law. The present law draws a distinction between public sector and private sector corruption. We have reconsidered this distinction in the light of, for example, the changing economic environment — in particular the privatisation of "public functions". We conclude that no distinction should be drawn between corruption in the two sectors.

The corrosive effect of corruption is undisputed. Our recommendations, if implemented, would play a significant part in countering that effect by punishing those guilty of corrupt behaviour and by sending a clear signal that corruption will not be tolerated.

● The author is a Law Commissioner. Legislation of the Criminal Code, Corruption (1998), Law Commission No 248, HC 254, is available from The Stationery Office, £16.35, and on the Internet at: <http://www.open.gov.uk/lawcomm/>



STEPHEN SILBER, QC

## Barbs of the Bar

ANTHONY JULIUS has a sideswipe at the cab-rank rule in his review in a Sunday newspaper last weekend of *The Justice Game* by Geoffrey Robertson.

Mr Julius, best known as lawyer to Diana, Princess of Wales, refers to Mr Robertson's luck in being on the side of the angels so many times in the cases he has landed.

The rule, which in theory obliges barristers to take cases as they come along, could, Mr Julius says, be scrapped without damage to the Bar's independence or clients' interests.

Overall, Mr Julius acknowledges the book's "energy and charm", though it may be "coloured by a certain smugness".

## Old allies

THE membership of the new Civil Justice Council (CJC), just been announced by the Lord Chancellor, Lord Irvine of Lairg, QC, is jam-packed with the usual civil justice suspects.

It is, of course, chaired by the greatest civil justice guru of them all, Lord Woolf, the Master of the Rolls, whose idea it was to set up the council.

## OUTS

CL. The CJC is charged with "promoting the needs of civil justice" and keeping the system under review.

He will certainly feel at home. Among those joining him are Henry Hodge, the deputy vice-chairman of the Legal Aid Board, and Hilary Heilbron, QC. They are all reunited after teaming up in the early 1990s to write a report on civil justice.

Then there is the Law Society's Michael Napier, the senior partner of Irwin Mitchell; Marlene Winfield, the senior policy and development

officer at the National Consumer Council; Vicki Chapman, the Legal Action Group's head of policy; and Ashley Holmes, the Consumers' Association's legal affairs head.

## Wind-up

AN ad last Thursday announced the wind-up of one "Evershed Ltd By Ham, the law firm Eversheds — not Evershed — had been forced to send an internal e-mail to lawyers and staff saying it was not the law firm. All offices of the firm had been beset by insolvent practitioners ringing up to offer help, including one optimist who told the switchboard to put him through to "Mr Evershed".

● Fifty Cambridgeshire lawyers have launched a fast-track system for resolving disputes. Instead of going to court, clients will be encouraged to use either mediation, when a mediator will help them to hammer out a binding settlement, or arbitration, under which a binding decision can be reached within ten weeks. The schemes cover a wide range of commercial and personal disputes. Contact Mike Williams at Leeds Day, 0117 680251.

**Pro and con**  
JOSEPHINE HAYES, who chairs the Association of Women Barristers and is taking legal action against the Attorney-General for alleged sex discrimination over the appointment of Treasury devils, has also been advising the Government on how to promote equal opportunities. Last year Lord Irvine invited her to sit on an Equal Opportunities Joint Working Group on how to improve the system of judicial appointments.

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## Still time to enter for awards

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For further information, in complete confidence, please contact our retained recruitment consultant Lisa Owens on 0171 588 5822 (00 44 171 642 5237 evenings/weekends) or write to her at ZMB Industry, 37 Sun Street, London EC2M 2PY. Confidential fax 00 44 171 523 3823. E-mail lisa@zmb.co.uk This assignment is being handled exclusively by ZMB and all direct and third party applications will be forwarded to them. Closing date for applications is 12th March 1998. ZMB Industry, a Zarak Group Company.



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\*Trademark of General Electric Company, U.S.A., which is not associated with the English company of a similar name.

## CHAMBERS

September 1996 Qualifiers  
Prospect for trainees qualifying in September look promising. Last year was buoyant. Many leading firms under-represented during the recession and now need newly qualified for the upturn. The presence of US firms has also added to the demand.

We are already arranging interviews for newly qualified banking and finance, capital markets, tax and pensions lawyers. Although the City firms have not yet formally allocated positions to their own trainees, several have already anticipated shortages in these specialties. Vacancies for corporate, commercial property, EU lawyers, litigation and private client lawyers tend to appear later in the year, from mid March to July. The same applies to other disciplines such as construction and insolvency.

For those considering leaving their present firms, now is the time to start preparations. Most newly qualified solicitors have not written cvs or undergone interviews for three or four years. We have published a guide for newly qualified which will help prepare them. It is available free of charge. We would be delighted to hear from you.

David Woolfson

CHAMBERS' DIRECTORY  
Our legal directory is available from Biblos, (01403 - 710 971)

## INDUSTRY Sonya Rayner, Fiona Boxall, Morwenna Lewis, Aileen Shepherd

### FMCG Company: London

Sole or bar with 1-2 years' ppe to join well-known firm, company as legal assistant to sec. Your experience should include consumer credit, product liability/safety, company/commercial, IP, health and safety and employment. EC background an advantage. Must have sound commercial experience and acumen.

### Commercial Lawyer: Eastern Europe

Lawyer, UK or overseas qualified, to run legal dept of Eastern European operations of major hi-tech company. Must have sound commercial experience and acumen.

### IT/Commercial: London

Large computer company seeks solicitor with c 1-4 years' ppe with experience of IT contracts who would like the opportunity of getting involved in the business.

## PRIVATE PRACTICE LONDON: David Woolfson, Simon Anderson, Paul Thomas

SOUTH: Noel Murray, Hedley Walsh NORTH: Sukh Bhatta

### Telecommunications Partner

Top 20 City firm with well-defined international strategy seeks telecoms partner with proven practice development skills to complement its highly regarded media practice.

### Employment: City

Top 20 City firm seeks 1-4 year qual employment lawyer to handle both contentious and non-contentious work and to participate in client development activity.

### Commercial Property: Holborn

Top quality niche firm with friendly, informal working atmosphere seeks 0-1 year qualified solicitor for sales, acquisitions and management work.

### Newly-Qualified Corporate: City

Medium-sized firm expanding at a faster rate than most of its peers on the back of major client gains offers outstanding opportunities to NQ solicitors.

### IT Partner: West End

Large West End firm seeks partner with established practice to help develop computer, cable and electronic publishing client base. Immediate equity possible.

### Charity/Property: South Wales

Charity and commercial property specialist is needed by charity with small legal department. Experience of trusts and a flexible management style is important.

### Marine/Oil: Kenya

New opportunity to join a major conglomerate based in Mombasa and handle day to day legal/commercial affairs. Some experience of the shipping/oil industries would be preferable.

### Legal Adviser: London

Energetic hardworking and commercially minded young lawyer to join HQ of major international manufacturing plc. Must have sound common law experience and enjoy working in a very fast moving stimulating environment.

### Commercial Property Partner: City

Well-known medium/small property practice seeks senior solicitor with part-following for broad based, including sales, acquisitions and L & T.

### Construction: WC2

Niche construction firm seeks 0-2 year qualified barrister or solicitor to handle commercial litigation with a construction bias. Re-training possible.

### Indian Lawyer: City

Leading City firm with thriving Indian practice seeks Indian lawyer with high quality commercial experience. London based with regular travel.

### Insurance Litigation: City

Top 20 City firm seeks two assistants with 1-5 years' experience to join a friendly team handling professional indemnity, policy disputes and Lloyd's matters.

### Company/Commercial: Surrey

Part designated firm ppe+req to specialist development of debt within control firm. Supportive colleagues with ex-c contacts will provide springboard for your success.

## PRIVATE PRACTICE

### CONSTRUCTION

A senior assistant with contentious and non-contentious experience is sought by this leading international practice. The successful applicant will have exposure to heavy duty infrastructure programmes, such as power stations, off-shore buildings and oil and gas. The firm is essentially meritocratic and offers the genuine prospect of early partnership. Ref: 6002.

### EMPLOYMENT

This City firm is different from the rest and has a young, open and dynamic culture. Highly regarded for its employment law expertise, it seeks to add to its friendly team. Work is diverse, for employers and employees and is high-profile. Ref: 5137.

### COMMERCIAL LITIGATION

This leading commercial firm with a strong European presence continues to expand and is searching for two assistants to join its close knit London team. One to handle the broad range of commercial disputes, the other will have a bias towards insolvency practice. Ref: 6024.

### 3-5 Years' PQE

### COMPANY/COMMERCIAL (DUBAI)

Having completed your training in a "City" firm you will be keen to gain some international experience at this early stage of your career. Your legal and commercial skills will be enhanced through close client contact and the diversity of work on offer. Ref: 5839.

### COMPANY/COMMERCIAL (MEDIA GROUP)

Team (1 partner and 4 assistants) in top 15 City practice handles work on behalf of media/sports and telecoms clients. The Group, which is part of a large corporate department, seeks a bright, quality-driven junior assistant with transactional experience in M&As, JV's etc and an interest in media-related work. Ref: 5989.

### PLANNING

Friendly and profitable, 13 partner City firm known for its property expertise seeks planning lawyers with 1-5 years' PQE and more senior with followings. The firm acts for household names in the retail, investment and development sectors. Good partnership prospects. Ref: 6026.

### NQ - 3 Years' PQE

### 6 Months-3 Years' PQE

### Junior and Partner



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## CHAMBERS

BANKING & FINANCE

## BANKING & FINANCE

### European Investment Bank Derivatives

This well-respected and established financial institution seeks an additional lawyer to join the legal department which provides advisory and transactional services to the derivatives business areas.

The current members of the team work closely together on a broad range of matters relating to a daily basis with the front office. Ideally candidates should have 1-3 years' ppe of derivative product documentation (standard and bespoke). Some knowledge of interest rate, currency options, equities and commodities would be advantageous. Total remuneration and career development are excellent.

### European Merchant Bank Structured Finance

This leading European banking group provides a wide range of investment banking, broking and corporate finance services and is highly rated.

The legal department has a genuinely collegiate ethos and quality of life is still a respected concept. A further lawyer is required to join the department at a senior level (4+ years' ppe) to advise on more structured work. A strong technical knowledge of debt, taking security and structured transactions, particularly with a derivative element, would be ideal. The successful candidate will enjoy a variety of high quality work in a supportive environment.

Demand continues to grow for lawyers with knowledge of derivative products to move into investment banking. Even those with peripheral knowledge can now successfully make the transition.

There is a misconception that opportunities in this area are all ISDA documentation roles. Many of the most interesting structured transactions have a derivative component and derivative products are playing an increasing role in fund management.

Now is the perfect time to talk to us about the various opportunities available.

Chambers Banking & Finance recruit lawyers into banks and other financial institutions. For further information or for career advice, please ring Deborah Kirkman or Stuart Morton on 0171 606 8844. Confidentiality is assured.





The Moroccan port of Tangier, where Steve Bryant was arrested and, inset, his father, Peter, reading a letter from the truck driver, who has been in jail for four years

## A foreign affair scandal

Today is a melancholy anniversary for Steve Bryant. The middle-aged trucker from London was arrested on March 3, 1994, in the Moroccan port of Tangier when cannabis was found in his load of frozen squid. He is now serving 12 years without remission in Sale Prison in Rabat, the capital. He is the second longest-serving British prisoner in Morocco and his case typifies what has happened to several lorry drivers convicted of being responsible for drugs found in their loads.

Paul Smith, 34, from North Yorkshire, was taken as a guest on a sailing holiday from Spain in October 1996. The boat ran aground on the Moroccan shore and, on being arrested, Paul was shocked to find that the owner had sealed cannabis in the hull long before the invitation to go sailing was made. The owner asserted his passenger's innocence but, like Bryant, Smith still received the maximum sentence.

In another Moroccan case of guilt by association, a 20-year-old Birmingham man was offered a local lift in a car, which was stopped at a roadblock, and when the owner-driver was arrested after drugs were found concealed in the panels, the passenger was also arrested and received the same sentence as the driver.

Britons are still being convicted and imprisoned abroad on dubious evidence. Stephen Jakobi describes some of the worst cases

Britons are by no means the only victims. Fair Trials Abroad (FTA) is also aware of a dozen other apparently serious and unaddressed miscarriages of justice cases in Morocco involving Spanish, Dutch, French and Portuguese citizens, more than half of them truckers. The cases of concern illustrate a growing international scandal. From the point of view of Europeans, the country represents the biggest miscarriage of justice problem in the world. Some statistics compiled by EU consular services last year disclosed that Morocco was holding the largest number of European prisoners outside Europe — nearly 500 out of a total of 3,000. The only country with a comparable number of European prisoners was America. Thailand, Turkey and Colombia and other drug-producing countries with immature justice systems have far fewer European prisoners, and we at FTA are aware of only a handful of possible miscarriages of justice.

In a 1996 report, FTA revealed that the

Moroccan justice system acted as a punishment system for Europeans accused of drug offences. The laws on drugs make it an absolute offence to be in possession of drugs and, in practice, to be in the company of those with drugs. Other failings of the system — such as the use of torture to obtain confessions, lack of adequate interpretation facilities during interrogation and trial, and poor standards of legal representation — lead to the inevitability of the innocent being convicted along with the guilty.

Evidence of scapegoating is also increasing. At FTA we know of three incidents involving the arrest of a mixed group of natives and Europeans where the local appeal system has resulted in the acquittal of the locals and conviction of the Europeans. Experience leads us to predict that at least 5 per cent of those charged and brought to trial in mature justice systems will be acquitted. So we have reason to be-

lieve that there are at least 25 arguably innocent Europeans in Moroccan jails.

There are encouraging signs that the Moroccans themselves are unhappy with their justice system. A new reform Government is taking office after recent democratic constitutional change. The new Minister of Justice, Omar Azdman, has announced that radical reform of the judicial system is to be a government priority. Unfortunately, future plans are of little help to those who have suffered from past shortcomings. Steve Bryant is taking his case to Mary Robinson, the UN High Commissioner for Human Rights, but clearly the only realistic hope of any form of freedom for most of the victims of injustice is a speedy pardon because the system has failed them.

This is a European problem, not just a British one. So FTA has approached the Foreign Office Minister, Baroness Symons of Vernham Dean, who is at present presiding over the European Union's Council of Consular Ministers. The hope is that a collective approach to the Moroccan authorities may result in a comprehensive review of past cases, followed by the granting of a number of pardons.

There is no tidy solution to justice problems of this magnitude.

• The author is director of Fair Trials Abroad.

Edward Fennell meets advertisers' advisers

## A bold statement, yes. But is it legal?

You need to be pretty streetwise to be an advertising lawyer. You need to dot the Is, cross the Ts and don't forget the Es. It was, of course, the last that got Sony into trouble last week for its Cool Boarders 2 ad, in which the ambiguous references to drug culture were deemed likely to incur the wrath of the Advertising Standards Authority (ASA).

As William King, an advertising specialist at Macfarlanes, points out, the industry is constantly pushing the boundaries to produce eye-catching images and copy, and it is the job of the lawyers to advise on where that creative urge may clash with the largely self-regulatory codes that govern the industry.

Macfarlanes was the first firm to realise, in the 1970s, that you had to advise on the codes as well as the law, and that has remained the case ever since," says Mr King. One problem with advertising in a pluralist society, however, is judging where the threshold of public decency is crossed. The Independent Television Commission, for example, was not happy with the recent low-calorie Lucozade advertisement featuring the so-called "Fat Slags". It transpired that it was the words, not the characters, that it did not like. Once the two overweight, underdressed women were renamed "Sandra" and "Tracey", public taste and decency were re-established. But it may be too much to expect lawyers to be able to second-guess such fine discrimination.

The question for clients, then, is whether it is worth referring an ad to a lawyer in the first place. As Rafi Azim-Kahn of Theodore Goddard notes: "In-house lawyers are not dealing with these issues every day, and therefore may not be so finely tuned as to what the codes require. Also, they may be under pressure internally to give an ad the green light. That's why it may be best to go to an external adviser, who can be more objective."

Some cynics argue that advertisers will do anything for publicity, and that the public scandal generated by an ad that has to be withdrawn is actually good for business. "If the ad is designed

to have only a short life — maybe even just a single day — they may decide it's worth the risk if it succeeds in getting the message across," says Ian Yonge of Manches & Co.

In matters of taste, the number of complaints often impresses the ASA — but when it is a question of fact, it may be more clear-cut. When the *Radio Times* boasted that it was "the best all-channel magazine", it did not take many objections over its lack of listings for all satellite and cable channels to persuade the ASA to ask the publishers to drop the claim.

One of the biggest challenges the ASA faces is the Internet. Mr Azim-Kahn, who helped to advise the ASA, says: "Some people feel that the Internet is the Wild West of the advertising world. The ASA, however, would not agree with that."

Mr King recommends that responsible advertisers should take great care over how advertisements are framed for the Net. Because advertising regulation varies enormously, it is necessary to attach "health warnings" so that viewers are clear about the jurisdictions to which the ads apply.

"And then you need a mechanism to back that up," he adds, "so if you receive a response from a country in which the advertisement is illegal, you must refuse the order."

But the really hot issue, as far as Jonathan Radcliffe of Beachcroft Stanley is concerned, is comparative advertising: "For years this has been a taboo area. Now, however, as advertisers become keener to benchmark their products against each other, it is becoming a lively field in which everything from credit cards to gas supplies are being advertised comparatively. In many cases, litigation quickly follows."

Most problems focus on definitions of what constitutes honest statement as opposed to defamatory. "There are so many imponderables in the law as it stands that it is difficult sometimes to judge what is acceptable," says Mr Radcliffe.

A forthcoming European Union directive may, however, provide the key to this knotty conundrum.



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3 Years + Qualified  
Had enough of fee earning but don't want to take a drop in salary? This progressive City firm, well known for employing extremely bright, outgoing solicitors, has a know-how role available with a high level of responsibility for those with good transactional banking experience. Your role will involve co-ordinating the entire department's information system, procedures, on-line systems and IT. Superb package for a highly regarded position where you will not be treated as a second class citizen. Ref: T05893J.

**PLANNING**  
3 Years + Qualified  
If you are ambitious enough to help build a planning department and to make a name for yourself in the planning field then read on. The property department of this progressive London practice is now seeking to carve out a distinct planning unit of which you will be the head. You should have some substantial expertise in the commercial planning field and a following of note. This position would also be eager for a new challenge in a friendly professional environment. Ref: T05397.

**COMMERCIAL PROPERTY**  
Newly Qualified +  
Are you tired of being at the beck and call of the corporate department? This leading City international firm is seeking an additional high calibre property lawyer to join an expanding and successful team. This firm acts for an enviable client base including retailers, developers, investment/institutional clients and property companies. Candidates must have quality technical skills together with an enthusiastic and commercial approach. Excellent rewards are on offer from a firm that is committed to the support and training of its fee earners. Ref: T06800L.

**EMPLOYMENT**  
3 to 5 Years Qualified  
Good mix of contentious and non-contentious employment available within a young and energetic team who encourage a 'hands on' and confident approach from assistants. The department handles an impressive list of clients varying from large multi-national companies to smaller enterprises and the majority of work comes directly from these clients rather than other departments. Incredibly supportive environment. Ref: T07846G.

**CORPORATE/COMMERCIAL**  
Excellent 1 to 3 Years Qualified  
Progressive law firm whose lawyers have been successful in securing the best deals in the market. They turn over the business to us in plain English and keep coming up with a stream of fresh ideas in help the practice grow. Are you this good? Either sit on the side lines or give us a call. Ref: T11198.

**CORPORATE TAX**  
1 to 4 Years Qualified  
How taxing do you find this? A lawyer with general corporate tax experience or a junior with some relevant experience and a genuine interest in tax matters is needed by this leading City firm. The range of work will cover domestic and international tax, VAT and stamp duty. The firm's clients are both national and international covering a range of industry sectors including leisure and retail. If you want a broader range of work, enjoy the marketing of a practice and wish to form part of an expanding and friendly team, this could be the answer. Sydney long term. Ref: T20173.

**SECURITIES - IN-HOUSE**  
3 to 5 Years Qualified  
Leading independent trading house is looking for outstanding lawyers to front its equity warrants programme and also to provide derivative support. The role will initially involve a broad range of work and then candidates will be expected to run structured deals and packages including CDOs and tax deals. This is a high profile position, the legal team interacting extensively with the front office and trading floor. Candidates should have an excellent grounding in this area and be able to cope well under pressure. Ref: T04035.P.

**PROJECT FINANCE PARTNER**  
Sydney  
This is one of Australia's fastest growing most dynamic practices. It is not one of the big firms but has a world-wide reputation for the quality of work, calibre of clients and outstanding profitability. If you are a heavy hitter in the project finance area and are seeking to relocate to Sydney as a partner then this is the one for you! Applicants must be either a senior assistant or partner with a leading City or US practice and should be looking in return to this knotty conundrum. Ref: T20173.

Please contact Michelle Green, Jonathan Wainwright or Tanja Forster (all qualified lawyers) on 0171 417 1400 or write to GARFIELD ROBBINS at the London office for more information in complete confidence. Call Evenings Weekends 0171 586 2271 Confidential Fax 0171 417 1444. Email: michelle@garfieldrobbins.co.uk

### Legal and Business Affairs Executive

Pearson Television is the leading UK Independent Television producer, and the Production Division provides programmes to all the major networks in the UK.

We're currently looking for a 1997-qualifier to join our Legal and Business Affairs department. Working as part of the team responsible for UK Productions, you will be involved in a wide variety of tasks in support of the production units. A combination of legal rigour together with a commercial approach is required. This position would ideally suit someone who has had a media start during their Articles.

To apply, please write to Alex Lee, Head of Legal and Business Affairs, Worldwide Productions, Pearson Television, 1 Stephen Street, London W1P 1PL, by 12 March 1998.

We believe in equality of opportunity and employ people solely on the basis of their abilities.



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### March Forward

PRIVATE PRACTICE IN-HOUSE OVERSEAS/REGIONS

**Commercial** c £20K  
West End: Firm with int'l, mainly Middle Eastern & US connections seeks City or equivalent solicitor 3-5PQE or more, to join team handling JV's and licensing.

**Property** c £35K  
City: C 10 partner firm with household name clients seeks top notch lawyer 1-3PQE with City background to handle highest quality work for int'l/UK clients.

**Private Client** c £40K  
West End: New role for lawyer 2-3PQE to deal with 80% offshore and 20% trusts. Good drafting skills & UK tax law experience. European travel likely.

**Finance** c £20K + bonus  
City: US bank seeks lawyer 3-5PQE to provide advice on asset securitisation, corporate/project finance, structured credit and tax driven transactions.

**Banking** c £60K  
West End: A requirement has arisen within busy team for a banking lawyer, 4-5PQE, to deal with lending, asset and property finance and distressed debt.

**Matrimonial** c £25K  
London: Small firm with constant flow of private client instructions seeks specialist with 3-5PQE to deal mainly with financial settlements on divorce.

**Construction/PFI** c £100K  
City: Senior solicitors with up to 6PQE sought by major firm to handle non-contentious construction, projects or PFI work.

**Litigation** c £50K + bonus  
Dedicated Lawyer 2-5PQE seeking in-house role, sought by int'l financial institution to handle regulatory, trading, employment and systems risk control.

**Company Sec** c £45K + bonus  
West London: Exciting new position managing this world leader's Secretariat Services. Top legal, organisational and administration expertise vital.

**Corporate** c £20K  
Birmingham: Major firm seeks lawyers, 1-6PQE to join team handling MBO/M&A, venture capital, Yellow/Blue Book and plc work.

**Commercial** c £60K  
Reading: Two of the town's foremost firms seek quality lawyers NQ-5PQE with skills in, inter alia, employment, tax, IP/IT or commercial litigation.

**Commercial** c £20-25K  
Bangkok: Well established firm seeks two lawyers 3-4PQE to join corporate group, one to handle commercial work, the other, insolvency/reorganisation issues.

**Banking** c £60K  
Roman Italian bank seeks UK barrister/solicitor 4-5PQE ideally with in-house exp to deal with commercial banking and capital markets matters.

**Corp/Commercial** c £20K  
Hong Kong: Office of major City firm seeks lawyer, 2-4PQE, to handle corporate, banking, IP or commercial work. Cantonese or Mandarin useful.

**Litigation** c £20K  
London: City style firm seeks litigators from NQ-partner level. Contentious property, civil, professional indemnity or commercial experience required.

**Commercial** c £20K  
London: City style firm seeks lawyers, 1-6PQE to join team handling MBO/M&A, venture capital, Yellow/Blue Book and plc work.

**Commercial** c £20K  
London: City style firm seeks lawyers, 1-6PQE to join team handling MBO/M&A, venture capital, Yellow/Blue Book and plc work.

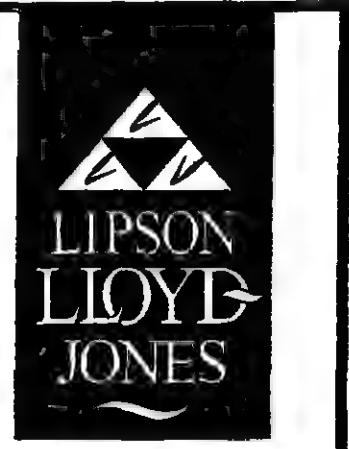
**Commercial** c £20K  
London: City style firm seeks lawyers, 1-6PQE to join team handling MBO/M&A, venture capital, Yellow/Blue Book and plc work.

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London: City style firm seeks lawyers, 1-6PQE to join team handling MBO/M&A, venture capital, Yellow/Blue Book and plc work.

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Contact:

Andrew Nelson

Deborah Knowles

Lucy Boyd

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### LAWYER

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Nestor is a Group that is currently growing at a rate of 20% p.a. and we have aspirations for further growth.

We are now looking to recruit a dynamic, forward-looking lawyer to act as Company Secretary and Legal Advisor to the Group. Reporting to the Director of Finance and Corporate Planning and supporting the Group as a whole, you will be expected to deliver commercial legal advice across a number of operating divisions.

In particular, your role will include:

- performing the Company Secretarial function (with the back-up of a qualified company secretary);
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- playing a key role in our acquisition and disposal programme; and
- co-ordinating our panel of external lawyers advising on specialist areas.

To perform this role you will need at least six years' post qualification general commercial experience, some of which should ideally have been gained in-house. Equally important is the ability to communicate clearly and effectively to people at all levels, both internally and externally.

Nestor is excited about the prospects for future development. We are looking for a lawyer who will add value through a thorough appreciation of the commercial ends we are working to. In return, we can offer you a rare opportunity as part of our senior management, to contribute to our success.

For further information, in complete confidence, please contact Lizzie Orange on 0171 523 3822 (evenings/weekends 0181 740 4108). Confidential fax 0171 523 3823. Alternatively, write to her at ZMB Industry, 37 Sun Street, London EC2M 2PY. E-mail lizzie@zmb.co.uk. All direct and third party applications will be forwarded to ZMB Industry. Closing date for applications is Monday 10th March. ZMB Industry, a Zarak Group Company.

**ZMB  
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## HAPPY?

**CORP FINANCE/BANKING/FINANCE** To £70,000  
The corporate finance, banking and finance work in the London office of this top US firm is of the highest quality. The training and experience you will gain here will set you up for a super career. So the headline-making salaries, let alone the bonuses, are just the icing on the cake for 0-4 year qualified. Ref: T16565

**PROJECT FINANCE** To £80,000  
If you want to be a project finance lawyer, this is the place to do it. The London office of this top US firm has a world-leading project finance practice with salaries to match, as it is only interested in seriously good lawyers with 3-5 years' exp who can add value to its English law capability. Ref: T33140

**CORPORATE** To £55,000  
This top 10 City firm heads corporate league tables on a weekly basis, so you will see its reputation speak for itself. This is a firm where not only will you gain top-notch domestic and international experience, but will also be given the chance to enjoy and benefit from what you are doing. 1-5 years' exp please. Ref: T14411

**PROPERTY** To £38,000  
Young, personable, able to enjoy life outside the office, and that's just the property partners at this well-known medium-sized City firm. You too will be a young and personable 12-18 months' qualified property lawyer and ready for hourly targets that give you every chance to have a proper social life. Ref: T44785

**TAX** To £65,000  
Premier top 5 international City practice, with unrivalled corporate reputation seeks lawyer to join top ranked tax department. You will be given a broad range of high calibre tax work and high degree of responsibility. NQ-5 years' exp sought. Excellent City salary and prospects. Ref: T16864

**COMMERCIAL PROPERTY** To £50,000  
This is something very unusual for a commercial property assistant with 2-4 years' exp. Your work at this highly international medium-sized City firm will take you abroad and given the compact nature of the department, it could happen quite often. If you prove yourself, partnership is not far off. Ref: T39880

**EC** To £50,000  
As this leading national firm looks to build up its driving EC practice yet further, there are very exciting opportunities for EC lawyers at all levels who want to help develop its Brussels office. You will immediately take a very responsible role, with all the many financial and other benefits that follow. Ref: T29744

**QD**  
QUARRY DOUGLAS  
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**PROJECTS** To £50,000  
Like many law firms, this top City firm is trying to build its project finance practice. You will be 3-5 years' exp at this medium-sized City firm. The work will be very broad, including corporate immigration, although you need to know the tax treatment of termination payments and national insurance. Ref: T46888

**CAPITAL MARKETS** To £60,000  
Play your part in giving this top 10 City firm's capital markets team an even higher profile, and partnership and fantastic pay will very quickly be yours. The firm has an array of blue-chip clients involving on very big ticket international work, making this perfect for all levels, including a whole team. Ref: T4744

**FILM PRODUCTION/FINANCE** To £40,000  
The lights are on, the camera is rolling and this leading City firm is where the action is, if you want to play a starring role in its film production/finance practice. You will be 3-5 years' exp, up to partner level, and although you do not need a following, good contacts in the industry to match the firm's are a must. Ref: T47343

**EMPLOYMENT/BENEFITS** To £55,000  
You will be given every help to learn new skills as an employment/benefits lawyer with 2-5 years' exp at this medium-sized City firm. The work will be very broad, including corporate immigration, although you need to know the tax treatment of termination payments and national insurance. Ref: T46888

**COMPANY/COMMERCIAL** To £60,000  
This highly competitive, Vauxhall-based firm can offer a company/commercial assistant with 3-5 years' exp a level of international work that may larger firms cannot match, as well as a nice spread of sectors, including media. Add an encouraging and relaxed atmosphere, and this could be the perfect change. Ref: T42583

**COMMERCIAL LITIGATION** To £60,000  
This exceptionally high-profile City firm is already punching well above its weight, although it is rapidly building up too. You could be a key part of this process as the new head of commercial litigation if you can show 4-6 years' exp, and the right skills to manage a team and develop the practice. Ref: T4371

**TRANSPORT & LEISURE** To £54,000  
This is a job that will give your career a jump-start. Aside from being interesting and socially useful, transport work is also growing rapidly. This leading City firm is at the forefront and can offer a commercial lawyer with 18 months' exp a challenging role acting for some of the sector's leading names. Ref: T39999

## LEGAL ADVISER

1-3 years' exp

£Competitive

A superb opportunity for a lawyer with a technical engineering background.

The TAG McLaren Group is based in Woking and is engaged in a range of high profile activities including Formula One, electronics, audio, road and sports car production and sports marketing. The company's rapid growth and ambitious plans for the future require the recruitment of an additional lawyer to join their Legal Department.

The role itself will be varied and challenging. Reporting to the Head of Legal Affairs, it will include:

- Commercial agreements including technology, patents
- Intellectual property
- Legal aspects of the management of the Group's relationship with Motorsports governing bodies
- Assisting generally in respect of the activities of the Legal Department

In order to succeed in this role, an understanding of technical issues will be essential. Therefore, a lawyer with a technical or engineering background is required. In addition, a strong knowledge of either intellectual property or company commercial legal issues will be important. The successful candidate will be heavily integrated with the business and will work with senior management. Good communication skills and a commercial awareness are prerequisites.

Contact Nick Hadley, our exclusively retained consultant, on 0171 415 2822 or write to Taylor Root at 179 Queen Victoria Street, London EC4V 4DD. Evenings/weekends on 0171 232 3378.

**TAYLOR ROOT**

**TAG McLaren**

## PRIVATE PRACTICE & IN-HOUSE

**TAX** £MARKET  
Extremely successful UK law firm seeks a senior tax lawyer with 10-15 years' exp for its London office. Your work will be exceptionally varied as you will advise on tax aspects of many of the firm's high-profile global deals. This is an excellent opportunity to further your career. (Ref: T13988)

**CAP MKTS (RETRAIN) TO £70,000**  
Leading edge capital markets department in premier City firm seeks 0-6 years' qualified capital markets or corporate finance lawyers with drive and ambition who are keen to retrain. Excellent training will be provided, as well as opportunities for travel and secondments. (Ref: T0518)

**SENIOR IP** £COMPETITIVE  
Central London firm, a leader in entertainment and media law, seeks an assistant with at least 4 years' exp, to undertake IP, IT, trademarks and media work. This position would suit a lawyer who has substantial experience of non-commercial work. Superb financial package. (Ref: T2201)

**CORPORATE** TO £55,000  
Well-established London firm seeks a 5-8 years' qualified lawyer to develop the corporate side of the business. For the right person, this is a partnership opportunity with the benefit of being able to influence the direction of this area of the firm's work. (Ref: T2172)

**INSOLVENCY** TO £50,000  
One of the largest insolvency teams in the City is looking for a 2-4 year qualified lawyer to undertake a wide range of high quality contentious and non-contentious work. Join one of the market leaders and develop your skills at a firm with an enlightened training and staff benefits policy. (Ref: T0082)

**GLOBAL M&A** £EXCEPTIONAL  
Central London based PwC is seeking a 2-3 year qualified top 10 trained lawyer with exceptional acquisitions/corporate finance for an exciting role within the core of the legal department. Remuneration is highly competitive if you enjoy transactional work, but seek a better quality of life. (Ref: T2218)

**CORPORATE/FINANCE** £80,000  
Ambitious, dynamic assistant sought by European finance arm of a highly successful US corporate. Exceptional financial rewards await a high-flyer from a top City firm with at least 6 years' general banking experience, which ideally should include exposure to asset finance. (Ref: T18153)

**PROPERTY - SURREY** TO £70,000  
Major hi-tech/communications company seeks a senior property lawyer to set up and manage a property function within the legal department. Opportunity to become involved in and manage wide ranging projects. Ideal background is 4-6 years of City property experience. (Ref: T1168)

**COMM PROPERTY** TO £82,000  
International City firm's commercial property group seeks talented 1-3 year qualified lawyer for general commercial property work, including leases and management contracts. You will be given the chance to make a real impact on both the work of the group and your career. (Ref: T0684)

**LIT (GERMAN)** TO £65,000  
An unparalleled opening for a bilingual English/German speaking lawyer to undertake commercial litigation work with a leading City law firm. You will take responsibility for a wide range of international work, and in return, are rewarded with superb opportunities for business development. (Ref: T0335)

Ever thought of moving out of London? Would you like to enjoy a better quality of life without compromising your quality of work? Wouldn't it be nice to actually have time to enjoy your hard-earned money? We have a number of excellent positions (a few examples of which are given below) with a variety of high calibre, provincial firms where you will command a competitive salary, and have superb opportunities for career development. Go on, you owe it to yourself to find out more.

Contact Rachel Page or Andy Golding on 0171 523 3838 (0181 948 1514 evenings/weekends). Confidential fax 0171 523 3839. E-mail rachel@zmb.co.uk

**INSOLVENCY HOME COUNTIES**  
In demand from too-demanding firms? As a senior insolvency lawyer, and with recession predicted, your skills are at a premium. Why not move out of London to this superbly run firm, fully networked and with a wide variety of clients, now looking for a team leader. (Ref: T2104)

**EQ CO READING**  
The well known firm is seeking newly qualified company commercial solicitors with a strong academic background, and an excellent training with a large regional or City firm. In return, they offer high quality work, in-depth involvement with clients, and competitive remuneration. (Ref: T18926)

**COMM LITIGATION CAMBRIDGE**  
Due to promotions within this excellent Cambridge firm, an unusual opportunity exists for a commercial litigator to take over a ready-made caseload. With around 4 years' PCE, gained with a City or major provincial firm, you should be a versatile litigator with good commercial aptitude. (Ref: T21168)

For further information in complete confidence please contact Andy Catfield or Andy Golding (private practice) on 0171 523 3838 (01493 828110 evenings/weekends), Lisa Owens or Lizzie Orange (in-house) on 0171 523 3822 or Rachel Page (regional) on 0171 523 3838 (0181 948 1514 evenings/weekends). Alternatively please write to ZMB, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 523 3839. ZMB and ZMB Industry, Zarak Group Companies.

**ZMB**

## in the City!

### PRIVATE CLIENT ASSISTANTS NQ - 1 year's PCE and 3-5 years' PCE

Indisputably one of the City's most progressive medium-sized private client law firms our client's commitment to the long term growth of its private client department reflects the value it places on the client/solicitor relationship at a personal level, combined with its reputation for excellence, professionalism and integrity in a range of specialist, yet integrated, areas.

Two exceptional individuals seeking long term career prospects in this first rate and expanding department are sought. Both positions will require intellect, flair and interpersonal skills, since the firm encourages its assistants to acquire the qualities required of a partner as early as possible.

Acting for both 'new' and 'old' money clients, experience of setting up and administering off-shore trusts for non-domiciles and for UK residents is sought, as is experience in estate planning, IHT and will-drafting.

A highly competitive 'City' salary will be offered for both positions; long term prospects are excellent.

To discuss these positions please contact Simon Jones on 0171 404 6669 (evenings/weekends 0161 475 8711) or write to my secretary, Mrs C. Jones, at the firm's offices, 44/45 Chancery Lane, London WC2A 1LB. Fax: 0171 404 8817. All applications will be treated in strict confidence.

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For top UK law firm. Good salary. Excellent benefits. Excellent career prospects. Excellent training. Excellent staff. Excellent location. Excellent facilities. Excellent equipment. Excellent resources. Excellent support. Excellent services. Excellent results. Excellent reputation. Excellent future. Excellent opportunity. Excellent challenge. Excellent growth. Excellent success. Excellent achievement. Excellent contribution. Excellent impact. Excellent influence. Excellent leadership. Excellent management. Excellent organization. Excellent planning. Excellent strategy. Excellent tactics. Excellent execution. Excellent performance. Excellent results. Excellent success. Excellent achievement. Excellent contribution. Excellent impact. Excellent influence. Excellent leadership. Excellent management. Excellent organization. Excellent planning. Excellent strategy. Excellent tactics. Excellent execution. Excellent performance. Excellent results. Excellent success. Excellent achievement. 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# VAT decision contrary to EC law

# Disturbance compensation test

**Regina v Commissioners of Customs and Excise, Ex parte Littlewoods Home Shopping Group Ltd**

Before Lord Justice Kennedy, Lord Justice Millett and Lord Justice Ward

[Judgment February 17]

A decision to charge value-added tax on outstanding balances for goods already supplied by a retailer on self-financed credit terms after the trader ceased trading or stopped using the standard method of calculating daily gross takings or after that method was withdrawn was unlawful and contrary to Community law.

The Court of Appeal so stated in a reserved judgment when allowing an appeal by Littlewoods Home Shopping Group Ltd from the dismissal by Mr Justice Tucker on January 15, 1997 of its application for judicial review of decisions of the Commissioners of Customs and Excise.

(i) of October 17, 1995 to charge VAT on outstanding goods already supplied where payment in full had not been received when a retailer who supplied goods on self-financed credit terms ceased to trade or to use the standard method of calculating daily gross takings (SMGT) or when SMGT was withdrawn; and

(ii) of November 24, 1996 to withdraw SMGT and to charge

outstanding balances at the date of its withdrawal to VAT.

The decisions had been made in the light of Commissioners of Customs and Excise v Nest (1995) STC 651 which the Court of Appeal had overruled.

Mr David Milne, QC and Mr Andrew Hitchmough for the appellants; Mr Kenneth Parker, QC and Mr Aidan Robertson for the commissioners.

LORD JUSTICE MILLETT said that the decisions were concerned with VAT on goods supplied by retailers on self-financed credit terms where payment in full had not been received. The issue was whether the commissioners' proposals for charging the outstanding balances to tax were lawful.

VAT was charged on the supply of goods and services in the UK. The liability arose at the time of supply and was measured by reference to the consideration for the supply whether or not the consideration had been received by the supplier.

Credit was given for the fact that payment to the supplier may not have been contractually due. Where goods were sold on credit, therefore, payment of the tax was due by the supplier before, and sometimes long before, payment of the consideration for the supply was due to him.

SMGT was the special method of account for daily gross takings

and it affected the manner in which the value of the goods was measured.

In his Lordship's judgment, there was no statutory basis for taxing outstanding balances on the withdrawal of SMGT or otherwise. All supplies made after the withdrawal of SMGT, or after a retailer ceased to trade or to use SMGT, had to be taxed in the normal way, that is, on the value of the supply, such value being the amount of the consideration whether or not payment was deferred.

No other basis was available for valuing the supply. Nor, after the withdrawal of SMGT, would there be any basis for charging tax by reference to payments received. The only basis for doing so would have been withdrawn.

Thereafter, tax would be charged on supplies in the ordinary way. But there would be no outstanding unpaid supplies. Supplies made before the withdrawal of SMGT would have been fully charged to tax under SMGT.

In his Lordship's judgment, the taxpayer was correct in saying that the quashing of the commissioners' decisions would not result in a loss of tax but that on the contrary their proposal to tax outstanding balances would result in double taxation.

His Lordship was satisfied that, as a measure of general principle, taxation of outstanding balances carried mitigation to the sentence. Different considerations applied where the taxpayers were investigative journalists. They were not officers of the law whose prime purpose was to detect crime, apprehend criminals and bring them to justice.

Here the journalists' purpose was to discover the nature and extent of the drugs scene in Eastbourne, and to expose it in their newspaper. Their purpose was perfectly honourable but the public might well have been left with a sense of unease that it was necessary to go to those lengths for their story, even identifying her by photograph and name and exposing her to humiliation and threats to her person.

Those were consequences which were most unfortunate and, in fairness to the journalists, wholly unforeseen. However, it was appropriate to reflect the element of entrapment and the unusual and exceptional circumstances which followed from it.

Following R v Muboye and Shaw (1993) 14 Cr App R 53, 56, the circumstances of the entrapment should have been mentioned expressly in the sentencing remarks. Accordingly, their Lordships felt justified in reducing the sentence.

on the withdrawal of SMGT would amount to double taxation and would be neither fair nor reasonable and would be incompatible with the Sixth Council Directive 77/388/EEC of May 17, 1976 on the harmonisation of the laws of the member states relating to turnover taxes (OJ 1977 L143).

It must either be a charge on receipts, contrary to article 2 of the Sixth Directive which required the tax to be charged on supplies, or it must be a further charge on supplies on the full value of which tax had already been charged.

Although the Sixth Directive contained no specific prohibition of double taxation, it did in his Lordship's opinion have that effect.

Subjecting taxed supplies to further tax could be viewed in two ways: (a) as having the effect of charging tax on a supply in excess of the taxable amount defined by article 11; or (b) as having the effect of charging tax on the supplies at a rate in excess of that prescribed by article 12.

In his Lordship's judgment, the decision to charge VAT on outstanding balances was unlawful because it was without statutory authority and ultra vires and it was contrary to article 11 and article 12 of the Sixth Directive.

LORD JUSTICE WARD and LORD JUSTICE KENNEDY agreed.

Solicitors: Cuff Roberts, Liverpool; Solicitor, Customs and Excise.

**Bacchiocchi v Academic Agency Ltd**

Before Lord Justice Simon Brown, Lord Justice Ward and Mr Justice Moore-Bick

[Judgment February 23]

In determining whether a business tenant had occupied the premises for the whole of the five years immediately preceding the date on which it was to quit the holding.

The tenants' application for a declaration that he was entitled to compensation was refused on the ground that he had not been in occupation for the last 12 days of the tenancy. He appealed.

Mr Edward Denehan for the tenant; Mr Richard Stead for the landlords.

LORD JUSTICE SIMON BROWN said that a number of cases decided under Part II of the 1954 Act considered what constituted the occupation of business premises, the most authoritative of which was Graydon Holdings Ltd v P & O Property Holdings Ltd (1996) 1 AC 329.

In all but one, the question arose under section 23 of whether the tenant was occupying the premises for business purposes and thus entitled to continue the tenancy. Here by definition there was to be no continuation of the tenancy.

The authority closest in point was Department of the Environment v Royal Insurance plc (1987) 1 EGLR 83, in which it was held that the fact that the tenants under a 14-year lease had entered into occupation of the premises one day after the term began meant that they had thereby failed to occupy

entitled to compensation of £15,030 under the 1954 Act if, within section 38(2), he had occupied the premises for the whole of the five years immediately preceding the date on which it was to quit the holding.

The tenants' application for a declaration that he was entitled to compensation was refused on the ground that he had not been in occupation for the last 12 days of the tenancy. He appealed.

Mr Edward Denehan for the tenant; Mr Richard Stead for the landlords.

LORD JUSTICE SIMON BROWN said that a number of cases decided under Part II of the 1954 Act considered what constituted the occupation of business premises, the most authoritative of which was Graydon Holdings Ltd v P & O Property Holdings Ltd (1996) 1 AC 329.

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The authority closest in point was Department of the Environment v Royal Insurance plc (1987) 1 EGLR 83, in which it was held that the fact that the tenants under a 14-year lease had entered into occupation of the premises one day after the term began meant that they had thereby failed to occupy

for the whole term of 14 years within section 37(3)(a).

There was no distinction whatever between the present case and the DOE case and certainly none in principle. If the DOE case was correctly decided the appeal would fail.

The question was not whether the words of the statute should be construed literally or otherwise but rather what was meant in this specific context by "occupied for the purposes of a business".

Once it was recognised that premises could be occupied for the purposes of a business even when closed for the season, for holidays or repairs, as the section 23 authorities showed, it followed that section 38(2)(a) could be satisfied notwithstanding that the tenancy came to an end during a period of closure.

What was it about a mid-term closure that did not destroy the continuity of business occupation? That was the critical question and the answer surely was that each of those events was recognisable as an incident in the ordinary course or conduct of business life.

By the same token that trading might have ceased mid-term for repairs, so also it might have to be delayed for the premises to be fitted out in the first place, or might have to end before the term of the lease expired so that the premises could be cleaned and handed over

with vacant possession on the due date.

Whenever business premises were empty for a short time his Lordship would be disinclined to hold that the business occupancy had ceased, or not started, for that period provided always that during it there existed no rival for the role of business occupant and that the premises were not being used for some other, non-business purpose.

That was how Part II of the 1954 Act should operate in logic and in justice. It was a recognition that the tenant's business interest would not invariably require permanent physical possession throughout the whole term of the lease.

The tenant, having planned through a misunderstanding to vacate the premises in late July, found it commercially sensible to stick to that plan. That was an incident of normal business life.

The court in the DOE case, like the trial judge, had paid too much attention to the words "immediately preceding" and thereby overlooked the correct approach to the concept of continuing occupation as it applied at each end of the term of a business tenancy.

LORD JUSTICE WARD and MR JUSTICE MOORE-BICK delivered concurring judgments.

Solicitors: Withy King & Lee, Bath; McCloy & Co, Bradford on Avon.

## Journalist entrapment element in sentencing

**Regina v Tounissen**

Before Lord Justice Otton, Mr Justice Wright and Mr Justice Dyson

[Judgment February 17]

Where a judge was sentencing for an offence which would not have been committed but for the involvement of an agent provocateur, he should take the element of entrapment into account, and if the entrapment was by journalists rather than police officers, even more consideration and weight should be given to that factor.

He should also mention the fact expressly when sentencing so that the public could be assured that the element of entrapment was properly reflected in the sentence imposed.

The Court of Appeal, Criminal Division, so held in allowing an appeal by Brenda Ann Tounissen against a prison sentence of 12 months imposed in December 1997 at Lewes Crown Court (Judge Brown) on her plea of guilty to supplying a class A drug, heroin. The sentence was reduced to six months.

Miss Jane Humphreys, assigned by the Registrar of Criminal Appeals, for the appellant.

LORD JUSTICE OTTON, giving the judgment of the court, said that the appellant, who was a heroin addict, was asked by two men where they could buy drugs in Eastbourne.

She said that drugs were widely available and the men, who it later transpired were journalists, asked her whether she would get some for them. They gave her £30 and she bought four wraps of heroin for them.

Immediately after the transaction an article appeared in the News of the World identifying the appellant by her name and photograph.

The police, who until then were unaware that this offence had been committed, interviewed her and she readily admitted guilt.

As a result of the article the appellant was identified by the drug fraternity in Eastbourne and was assaulted by one of them. She also received a threat to her life.

When passing sentence, the judge took into account two minor offences for possession of drugs and also that she had no previous convictions for supplying drugs of any kind. He also gave her credit for pleading guilty and said that he accepted that she had made

considerable efforts to address her problems.

On appeal, however, Miss Humphreys suggested that the judge had failed to pay sufficient regard to the involvement of the agents provocateurs.

She submitted that it was legitimate for police officers to entrap criminals but that even in those circumstances some mitigation of the sentence was possible and that even more consideration and weight should be given to that factor when the entrapment was by journalists.

Their Lordships considered that there was substance in those submissions. There was no doubt that the appellant had used her contacts on the drug scene to supply heroin to strangers.

That was undoubtedly reprehensible and merited an immediate custodial sentence, so that it was not possible to say that the judge erred in principle. But did he give full weight to the particular circumstances in which the offence was committed?

As a result of the journalists' blandishments, the appellant was led into committing her first criminal offence relating to the supply of drugs. If those men had been police officers that would have

## Expedited appeals procedure for asylum seekers

**Regina v Secretary of State for the Home Department and Another, Ex parte Chowdhry**

Before Lord Woolf, Master of the Rolls, Lord Justice Potter and Lord Justice May

[Judgment February 2]

The expedited appeals procedure under section 1 of the Asylum and Immigration Act 1996, for asylum seekers from countries where it appeared to the Home Secretary that there was no serious risk of persecution, applied to asylum decisions made by the Home Secretary after the Act came into force even if the claims were made prior to that date.

The Court of Appeal so held in allowing the Home Secretary's appeal against the decision of Mr Justice Carnwath in the Queen's Bench Division on December 16, 1997 to quash the Home Secretary's refusal on April 18, 1997 of Nargis Chowdhry's claim for asylum and certifying her appeal under paragraph 5 of Schedule 2 to the Asylum and Immigration Appeals Act 1993, as substituted by

section 1 of the 1996 Act, and (ii) the dismissal by a special adjudicator on September 11, 1997 of her appeal.

Mr David Pennick, QC and Ms Lisa Giovannetti for the Home Secretary; Mr Peter Crampin, QC and Ms Bridget McVay for the applicant.

THE MASTER OF THE ROLLS said that paragraph 5 of Schedule 2 to the 1993 Act provided for an expedited procedure which cut down the right of appeal for asylum seekers if a special adjudicator agreed with the secretary of state that the claim was without foundation.

Section 1 of the 1996 Act applied those special procedures to a wider range of situations.

Under the new paragraph 5(2), the secretary of state could certify that the country to which the asylum seeker was to be sent was designated as a country in which it appeared to him that there was in general no serious risk of persecution.

If that certificate was upheld by the special adjudicator there was

no further right of appeal. In determining that the applicant's claim was not subject to the amendment made by the 1996 Act the judge was influenced by the fact that he thought the language of the 1996 Act was unclear, he considered it would be unfair to apply the 1996 Act retrospectively and he took the view that to apply the Act to a claim which had not been determined at the date when the new Act came into force would be to give that Act a retrospective application.

In his Lordship's judgment, if the Home Secretary had, in giving a decision, relied on the provisions which were brought into effect by the 1996 Act and his decision was one which was made after the Act had come into operation, there was no reason why, on the proper interpretation of the new paragraph 5, that paragraph should not apply to the decision in any appeal which took place thereafter.

LORD JUSTICE POTTER and LORD JUSTICE MAY agreed.

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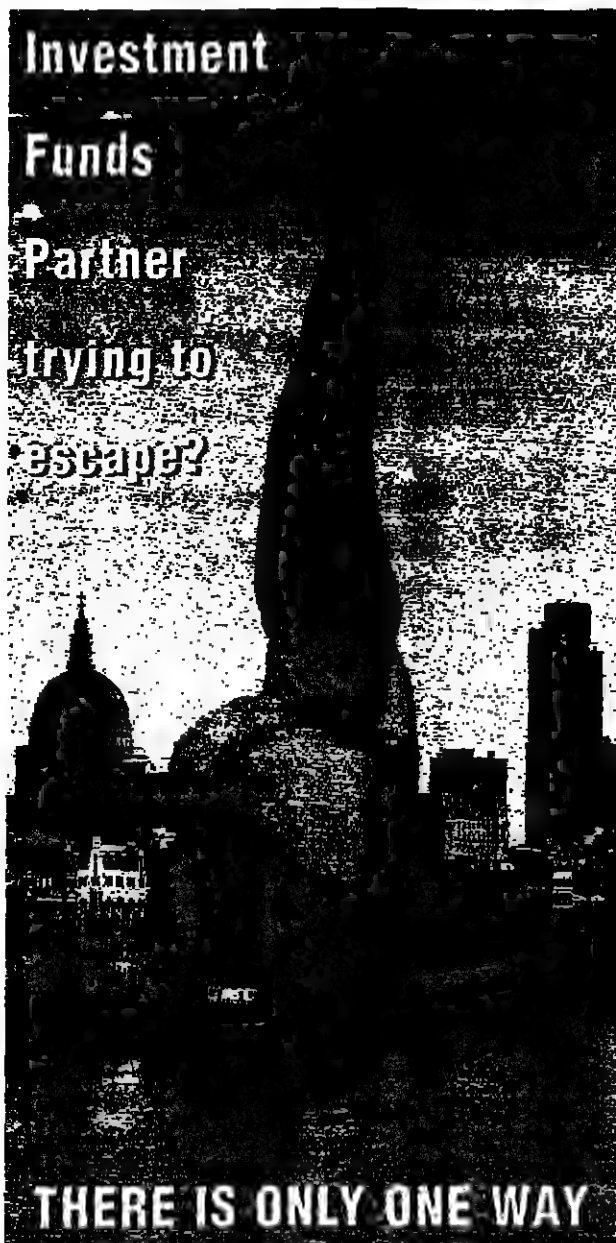
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Notified in accordance with Section 96 of the Insolvency Act 1986, that a meeting of the creditors of S.D. Limited will be held at 11.00 am on 10th March 1998 at the offices of the Liquidator, 100, 101 and 102 of the said Act, to consider the proposed arrangement for the winding up of the company.

**THE CHARITABLE COMPANY**  
Notified in accordance with Section 96 of the Insolvency Act 1986, that a meeting of the creditors of The Charitable Company will be held at 11.00 am on 10th March 1998 at the offices of the Liquidator, 100, 101 and 102 of the said Act, to consider the proposed arrangement for the winding up of the company.

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Notified in accordance with Section 96 of the Insolvency Act 1986, that a meeting of the creditors of Windsor Limited will be held at 11.00 am on 10th March 1998 at the offices of the Liquidator, 100, 101 and 102 of the said Act, to consider the proposed arrangement for the winding up of the company.

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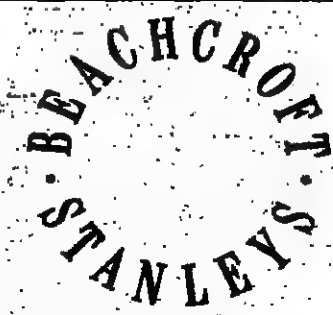
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ICE SKATING: PLACES FOR WORLD CHAMPIONSHIPS GO UNFILLED

# British women fall short in selection jump test

BY ANGELA COURT

GRFAT Britain will not be represented in the women's event at the world figure skating championships in Minneapolis this week, the National Ice Skating Association (Nisa) announced yesterday. The decision follows the screening at Basingstoke Ice Rink, where hopefuls failed to meet the criteria for selection.

The outcome will cause little surprise, given the general decline of recent years. Even the national women's championship last December threw up little hope for the immediate future, with Nisa subsequently refusing to send anyone to the European championships in January. Add to this the developments of yesterday and British skating finds itself in the first season for more than half a century with no female representation at senior international championships.

All Britain's senior women were invited to the screening yesterday, with the criteria being that four different triple jumps must be included in their free skating programmes. Jenna Arrowsmith, the British champion, was sidelined through injury, so just four women — Zoe Jones, Kelly McDermott, Georgina Papavasiliou and Tammy Sear — took part.

Jones should have had an advantage over the others, having been a national runner-up three times and a competitor at the world championships in Lausanne last year. Skating first, she landed just one triple jump — the loop — fell on the toe loop and singled three other attempted jumps.

Sear began strongly, but fell on the triple loop and triple toe loop, while McDermott two-footed the landings of three triples, and touched down on another. Papavasiliou did pull off two triples — a toe loop and salchow — but a fall on the triple flip, a near sit-down on the lutz, plus a single loop and salchow ended her chances.



Jones's performance cut no ice with the national team selectors yesterday

Celia Godsall, the Nisa chief executive, admitted that there is a problem, but was adamant that the laying down of criteria for championships was essential. "We're sending out a message not only to these ladies, but also to the up and coming junior girls," she said. "They have to realise that winning nationally does not provide them with automatic entry to international events. Triple jumps are a must."

However, many of the coaches feel that Nisa is doing itself and the skaters no favours. Tony Barron, who

coaches Sear, thinks that four different triple jumps is unrealistic.

"Look at the Olympics," he said. "Almost every lady [with the exception of the top six], accomplished no more than two triple jumps. Our situation is demoralising."

"These ladies sit at home watching the skaters from other countries compete in these events who they've beaten in the past, and could beat again. It's psychologically damaging."

Lesley Norfolk-Pearce, who coaches Jones and Arrowsmith, agreed. "They need to be put into international in order to gain experience and get used to skating under pressure," she said. "It's a vicious circle. If they don't go out and do it, they'll never be able to perform well."

The skaters themselves appeared resigned to their fate. "It's good to have criteria because then you have something to work towards," Sear said. "But four triple jumps is too much. I came here expecting to hear that none of us would be sent to the worlds, so I'm not disappointed."

De Villiers, who had looked to sweep or reverse sweep Mushtaq and Amir whenever possible, with mixed results, then drove Shaob Akhtar through mid-wicket for four, but Donald is not equipped to make runs in such circumstances. He did not manage to score and the jubilation among Pakistan's side was a sight to behold.

Wasim Akram is supposed to be joining the Pakistan party and is expected to play in the final Test at Port Elizabeth, which starts on Friday.

**Pakistan:** First innings 250 (West Indies 120, second innings 220 (Sear 118, 6th 118, 7th 118, 8th 118, 9th 118, 10th 118, 11th 118, 12th 118, 13th 118, 14th 118, 15th 118, 16th 118, 17th 118, 18th 118, 19th 118, 20th 118, 21st 118, 22nd 118, 23rd 118, 24th 118, 25th 118, 26th 118, 27th 118, 28th 118, 29th 118, 30th 118, 31st 118, 32nd 118, 33rd 118, 34th 118, 35th 118, 36th 118, 37th 118, 38th 118, 39th 118, 40th 118, 41st 118, 42nd 118, 43rd 118, 44th 118, 45th 118, 46th 118, 47th 118, 48th 118, 49th 118, 50th 118, 51st 118, 52nd 118, 53rd 118, 54th 118, 55th 118, 56th 118, 57th 118, 58th 118, 59th 118, 60th 118, 61st 118, 62nd 118, 63rd 118, 64th 118, 65th 118, 66th 118, 67th 118, 68th 118, 69th 118, 70th 118, 71st 118, 72nd 118, 73rd 118, 74th 118, 75th 118, 76th 118, 77th 118, 78th 118, 79th 118, 80th 118, 81st 118, 82nd 118, 83rd 118, 84th 118, 85th 118, 86th 118, 87th 118, 88th 118, 89th 118, 90th 118, 91st 118, 92nd 118, 93rd 118, 94th 118, 95th 118, 96th 118, 97th 118, 98th 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# Mad and dangerous, perhaps, but not bad

Tracking adventurers as they criss-cross the globe in search of nature's secrets and ways to avoid Tesco on Saturdays, *To the Ends of the Earth* returned for a new series on Channel 4 last night with a gripping encounter with one of the world's most venomous snakes — in the Eastern Transvaal.

The man doing the searching was Mark O'Shea, a herpetologist from Wolverhampton, who went looking for black mambas. Why? Partly because he's never caught one before, or, as he puts it: "There are some species that are the Ferrari of the snake world, as somebody who catches snakes professionally I want to drive that Ferrari."

O'Shea's other motive is to collect mamba venom to check the effectiveness of the anti-venom currently used by hospitals. He arranged to hand over all the venom he collected to South Africa's Institute of Medical Research, but even the scientists there wondered why anyone with an IQ higher than room temperature would want to tackle a black mamba — or, as one of them put it, to O'Shea in more scientific herpetologist terminology: "You're out of your mind, really."

O'Shea certainly has the relaxed, happy-go-lucky air of the out-and-out nut. He is dubbed "Britain's answer to Crocodile Dundee", which is a chilling concept, but not quite as chilling as the realisation that if we go around comparing Britons to famous Australians (even fictional ones), then Australians presumably compare their natives to famous Brits, which means there might be some poor sap in Sydney or Melbourne who is actually known as "Australia's answer to Bob Monkhouse."

It turns out that the black mamba, which grows up to 14ft long and can move at 17mph,

causes death by suffocation within two hours by paralysing the nervous system. Actually, when you come to think of it, that's pretty much the same effect that Bob Monkhouse has on an audience. The locals claim that the mamba can even bite a man on a horse at full gallop.

It gives an impressive kick to a wildlife documentary if you don't even know if the presenter will still be alive by the end of the programme. Mark does get bitten, by a snake, rather early on in the mamba-hunt and is rushed to a hospital. But, worried that time is running out, he decides to discharge himself against the hospital's advice, even though his left hand has swollen so large that you could serve a dinner for six on it.

But when Mark and his assistant Don Stydum do finally catch a mamba, they make it look easy —

your legs on the ground and have him drop on top of you. It's a very hard choice to make. Not if you stay in Wolverhampton it isn't.

Sally alive and fizzing with enthusiasm as the credits rolled on Roger Finnerlin's and Alice Keens-Soper's film, O'Shea was last seen hacking through the undergrowth, looking for one final mamba. "Ah! Fresh haecet!" he squealed, like a schoolboy catching his first glimpse of the beach on holiday. "He's definitely been here. I mean that's fresh. It's really strong." As I say, it's not a job for everyone.

Not that staying at home is necessarily any safer. Just as we were wondering whether it was perhaps finally time we looked to the future and started surfing the Internet, the first of a new series of the BBC2 brought us news of a very good reason to think again: Cyberstalking. Cynthia Armistead was living blissfully in Atlanta, Georgia, when she



Joe Joseph

though probably only in the same way that an expert slip-flicker makes catching a 90mph cricket ball look easy. The trickiest target was a large mamba which had wrapped itself high up a tree. Mark and Don climbed up after it. "The thing is," Mark explained, "you can't step aside. Your only option if you see it's coming for you is to jump, and then you've got to consider if you want to break

started receiving abusive and threatening e-mail messages from a stalker two years ago. The Cyberstalker then traced her real address and physically followed her. Armistead and her five-year-old daughter have since moved house twice and changed their telephone number countless times. Cynthia has also taken lessons in pistol shooting. She actually traced her stalker back on the Internet and then turned for help to the Cybercops, the Internet version of the Guardian Angels. Isn't it just great that logging on to the Internet can now be as spooky as riding the New York subway at 3am?

You probably wouldn't catch Adam Hart-Davis on the New York subway at any time. Adam's a bicycle man. He cycled back into our lives in a new series of *Local Heroes* (BBC2). Last night we rode tandem with

him through Devon and Cornwall in search of Thomas Newcomen of Dartmouth, who invented the first atmospheric steam pump engine; Henry Trengrove of Helston, who invented the first safety rockets for ships; and Henry Winstanley, who designed and built the first Edgelystone lighthouse and later died in it when it was washed away in a biblical-sized storm.

It is one of those programmes propelled by the enthusiasm of the presenter, whose excitement and fascination rub off on his audience like pollen on a bee. His passion for try-these-at-home scientific experiments turns the series into a sort of *Blue Peter* for grown-ups.

It's possible that you may have missed Hart-Davis until now, though it's hard to imagine how. He wears a Day-Glo pink shirt, pink shorts and pink bicycle helmet; either he's colour-blind or very, very, scared of not being noticed by car drivers.

- BBC1**
- 6.00am Business Breakfast (68932)  
7.00 BBC Breakfast News (T) (45406)  
9.00 Style Challenge (5042749)  
9.25 Change That (598784)  
9.50 Kiboy (T) (340838)  
10.30 Can't Cook, Won't Cook (8279196)  
10.55 The Really Useful Show (T) (112657)  
11.35 Real Roads: Revamping the highway of a converted stable block (1527777)  
12.00 News (T) and weather (890777)  
12.05pm Call My Bluff (5501932)  
12.35 Wipeout (2443118)  
1.00 News (T) and weather (48533)  
1.30 Regional News (T) (54123116)  
1.40 The Weather Show (5641715)  
1.45 Neighbours (T) (72383086)  
2.10 Inside Drama, with Raymond Burr and guest star Bruce Lee (T) (504266)  
3.00 Lion Country Longest Journey: Carmen parades her three cubs for the first time (5930)  
3.30 Spider (1276985) 3.35 Playdays (7446319) 3.55 Hubba (2133870) 4.10 Chuckle Brothers (315154) 4.35 The Really Wild Show (5272135) 5.00 Newsround (T) (590574) 5.10 Orange Hill (T) (813365)  
5.35 Neighbours (T) (T) (712951)  
6.00 News (T) and weather (83)  
6.50 Regional News (35)  
7.00 Holiday Jill Dando enjoys a cruise along the Thames, Diana Maudslayi and cricket fan, Dr. Clarke heads for Barbados, David Gower and Rory McGrath embark on a camper-van fly-drive holiday to Australia's Sunshine Coast (T) (1999)  
7.30 EastEnders: Cindy discovers Nick is up to no good at the chipotle (T) (19)  
8.00 A Question of Sport: Sue Barker hosts the quiz (T) (98425)  
8.25 Match of the Day Live: Atletico Madrid v Aston Villa: Desmond Lynam introduces coverage of the UEFA Cup quarter-final, first leg, at the Estadio Vicente Calderon (T) (7318385)  
NB: Subsequent programmes are subject to delay and alteration.  
10.25 News (T) and weather (130661)  
10.55 Premier Passions: Fans and investors apply pressure on Sunderland manager Peter Reid to sign up a new striker after a series of humiliating defeats (368864)  
WALSLEY: 10.55 Week in Week Out (245828) 11.25 Give It a Try: Before You Die (191753) 11.55 Premier Passions (368864) 12.30 Cricket: Fourth Test (584468) 1.05 Film: Sex, Love and Cold Hard Cash (583636) 2.45 News (583645) 2.50 BBC News 24  
11.50 Cricket: Fourth Test West Indies v England (147048)  
12.20am Sex, Love and Cold Hard Cash (1993) Thriller, with JoBeth Williams, Anthony Quinn, Denzel Washington and Forest Whitaker. A retired prostitute is up with a former convict to search for her missing life savings. Directed by Harry Longstreet (523384)  
1.40 Weather (2161487)  
1.45 BBC News 24

**VideoPlus+ and the Video PlusCode**  
The numbers next to each TV programme listing are Video PlusCodes, which allow you to programme your video recorder instantly with a VideoPlus+ handset. Find the Video PlusCode for the programme you want to record. VideoPlus+ is a PlusCode (TM) and Video Recorder are trademarks of Gemstar Development Ltd.

## For further listings see Saturday's Vision SKY 1

- 7.00am Street Sense (58154) 7.30am The Night (775512) 7.55am The Simpsons (36810) 8.00am The Simpsons (36810) 8.30am The Simpsons (36810) 9.00am The Simpsons (36810) 9.30am The Simpsons (36810) 10.00am The Simpsons (36810) 10.30am The Simpsons (36810) 11.00am The Simpsons (36810) 11.30am The Simpsons (36810) 12.00am The Simpsons (36810) 12.30am The Simpsons (36810) 1.00am The Simpsons (36810) 1.30am The Simpsons (36810) 1.55am The Simpsons (36810) 2.00am The Simpsons (36810) 2.30am The Simpsons (36810) 3.00am The Simpsons (36810) 3.30am The Simpsons (36810) 4.00am The Simpsons (36810) 4.30am The Simpsons (36810) 5.00am The Simpsons (36810) 5.30am The Simpsons (36810) 6.00am The Simpsons (36810) 6.30am The Simpsons (36810) 7.00am The Simpsons (36810) 7.30am The Simpsons (36810) 8.00am The Simpsons (36810) 8.30am The Simpsons (36810) 9.00am The Simpsons (36810) 9.30am The Simpsons (36810) 10.00am The Simpsons (36810) 10.30am The Simpsons (36810) 11.00am The Simpsons (36810) 11.30am The 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